The meeting location is wheelchair-accessible. For the hearing-impaired, an interpreter can be provided with 48 hours’ notice prior to the meeting. For meetings in the Council Chamber, a “Personal PA Receiver” for the hearing impaired is available. To request a reasonable accommodation at this meeting, please contact Brenda Jones at 541.726.3610 or bjones@springfield-or.gov.

Meetings will end prior to 10:00 p.m. unless extended by a vote of the Planning Commission.

All proceedings before the Planning Commission are recorded.

July 2, 2019

6:00 p.m. Committee for Citizen Involvement
(Meeting of the Planning Commission in it’s role as the Committee for Citizen Involvement)
Jesse Maine Meeting Room

CALL TO ORDER

ATTENDANCE: Chair Koivula _____, Vice Chair Sherwood _____, Vohs _____, Landen _____, Bergen _____, Gill _____, and McGinley_____.

ACTION ITEM
DEVELOPMENT CODE UPDATE PROJECT - STATUS

Staff: Mark Rust, Senior Planner
30 Minutes

ADJOURNMENT

6:30 p.m. Planning Commission Work Session
Jesse Maine Meeting Room

CALL TO ORDER

ATTENDANCE: Chair Koivula _____, Vice Chair Sherwood _____, Vohs _____, Landen _____, Bergen _____, Gill _____, and McGinley_____.

WORK SESSION ITEM
DEVELOPMENT CODE UPDATE PROJECT - STATUS

Staff: Mark Rust, Senior Planner
30 Minutes

ADJOURNMENT
7:00 p.m. Regular Session
Council Chambers

CONVENE AND CALL TO ORDER THE REGULAR SESSION OF THE SPRINGFIELD PLANNING COMMISSION

ATTENDANCE: Chair Koivula _____, Vice Chair Sherwood _____, Vohs _____, Landen _____, Bergen _____, Gill _____, and McGinley_____.

PLEDGE OF ALLEGIANCE

ADJUSTMENTS TO THE REGULAR SESSION AGENDA

In response to a request by a member of the Planning Commission, staff or applicant; by consensus

BUSINESS FROM THE AUDIENCE

Testimony is limited to 3 minutes; testimony may not discuss or otherwise address items appearing on this Regular Session Agenda

APPROVAL OF MINUTES:

• May 21, 2019 Regular Minutes
• June 4, 2019 Regular Minutes (if completed)

ACTION ITEM

• REQUEST FOR METRO PLAN DIAGRAM AMENDMENT AND ZONE CHANGE FOR 13.6 ACRES OF PROPERTY AT 3522 & 3530 GAME FARM ROAD, CASES 811-19-000065-TYP4 AND 811-19-000066-TYP3

Staff: Andy Limbird, Senior Planner
15 Minutes

PLANNING COMMISSION CONTINUED DELIBERATIONS AND RECOMENDATION

☐ Declaration of conflicts of interest, ex-parte contacts, bias
☐ Planning Commission discussion; possible questions to staff
☐ Motion to approve or deny the requested plan amendment and zone change based on the Planning Commission’s report and findings as presented or with modifications

REPORT OF COUNCIL ACTION

BUSINESS FROM THE PLANNING COMMISSION

• Upcoming Planning Commission meetings, committee assignments, appointments or other business

BUSINESS FROM THE DEVELOPMENT AND PUBLIC WORKS DEPARTMENT

ADJOURN REGULAR SESSION OF THE SPRINGFIELD PLANNING COMMISSION
<table>
<thead>
<tr>
<th>ITEM TITLE:</th>
<th>DEVELOPMENT CODE UPDATE PROJECT – STATUS</th>
</tr>
</thead>
<tbody>
<tr>
<td>ACTION REQUESTED:</td>
<td>Committee for Citizen Involvement input or feedback on the Development Code Update Project in regard to recruitment for the Technical Advisory Committee for the Phase 2, of the project. Phase 2 - the Economic Development phase involves looking at the development code for Commercial and Industrial lands.</td>
</tr>
<tr>
<td>ISSUE STATEMENT:</td>
<td>The Development Code is difficult to use, understand, and implement. Resolving the complexities and outdated nature of the code will help achieve the economic and housing goals for our community. The City Council has directed staff to complete a full Development Code Update. The purpose of this work session is to receive input and feedback from Committee for Citizen Involvement on the project progress related to the Community Engagement Plan for recruiting for the Technical Advisory Committee for Phase 2 of the project.</td>
</tr>
<tr>
<td>ATTACHMENTS:</td>
<td>Attachment 1 – Community Engagement Plan</td>
</tr>
<tr>
<td>DISCUSSION/FINANCIAL IMPACT:</td>
<td>At this meeting the project manager will discuss the continued Project process to date, and the progress on moving into Phase 2 of the project. Phase 2 - the Economic Development phase involves looking at the development code for Commercial and Industrial lands. The Community Engagement Plan includes formation of a Technical Advisory Committee (TAC) for each phase of the Project. Staff has been working on recruiting for a TAC for Phase 2, and is seeking the CCI’s input on the process.</td>
</tr>
</tbody>
</table>
Community Engagement Plan
Approved by the Committee for Citizen Involvement on December 18, 2018

The Community Engagement Plan will serve as a guide for outreach and community engagement activities for the Development Code Update Project.

I. Introduction

The Community Engagement Plan describes activities that the City of Springfield will implement to ensure that interested and affected parties have adequate opportunities to provide meaningful input to the Development Code Update Project. The Community Engagement Plan highlights the expected outcomes, and is designed with the general public, decision makers, technical advisory committee members, and the project team in mind as the intended audience.

The Purpose of the Development Code Update Project is to change the Springfield Development Code to support efficient, timely, and clear development review. The updated Development Code will support Springfield’s economic development priorities and will honor Springfield’s home town feel now and in the future.

II. Community Engagement Goals

Throughout this project, we are committed to sharing information and gathering input.

The Community Engagement goals are to:

- Ensure the Springfield community has opportunities to be informed about the project
- Ensure the Springfield community has opportunities to provide input on the project.
- Ensure the community understands the key issues related to the Development Code.
- Foster and sustain a collaborative and mutually respectful process while completing the Development Code Update Project.
- Communicate complete, accurate, understandable, and timely information to the community and partners throughout the Development Code Update Project including explanation of potential impacts from the proposed changes.
- Demonstrate how input has influenced the process and is incorporated into the final Development Code update.
- Adhere to the City of Springfield community engagement guiding principles.
III. Project Objectives

The established project objectives were developed in conjunction with the Springfield City Council and Planning Commission. The Project objectives are to:

1. Enable quick review of development applications.
2. Provide easy to understand code language presented in a clear and user-friendly format.
3. Provide a straight-forward processing path to development decisions.
4. Support/further economic development in all sectors.
5. Protect and enhance the beauty of our city to boost or stabilize property values, encourage investment, and improve the image of the community.
6. Comply with mandatory regulatory requirements.
7. Implement the City’s adopted policies.

IV. Key Messages

The use of key messages throughout project communications is helpful in maintaining consistent messaging about the project goal and project objectives. These messages are to be used both on written communications and as talking points.

Key messages within the Community Engagement Plan can be updated to include feedback and themes from the various phases of the project.

- The City of Springfield is committed to:
  - Reducing development barriers to allow for efficient utilization of the available land supply inside the Urban Growth Boundary.
  - Encouraging and facilitating development of more attached and clustered single-family housing in the low density and medium density residential zones.
  - Providing a variety of housing options for all income levels in both existing neighborhoods and new residential areas.
  - Enhancing the quality and affordability of new development within existing neighborhoods and of multi-family housing.
  - Promoting compact, orderly, and efficient urban development.
  - Making development decisions predictable, fair, and cost-effective.
  - Promoting efficient and economical patterns of mixed land uses and development densities.
  - Broadening, improving, and diversifying the Springfield economy.
  - Maintaining or enhancing environmental qualities and Springfield’s natural heritage.

- There will be multiple ways and opportunities for the Springfield community to receive project information and provide input on the project.
V. Community Engagement Strategies

The activities listed below highlight the specific communication strategies that are anticipated to be used throughout the Development Code Update Project. These strategies will include explanation of the potential impacts from the proposed changes where applicable. Specific efforts will be made as part of the strategies to reach out to and engage the Spanish-speaking community. These efforts will include targeted efforts to involve and collaborate with the Spanish-speaking community members.

<table>
<thead>
<tr>
<th>Community Engagement Strategies</th>
<th>Purpose</th>
<th>Timeline</th>
<th>Level of Community Engagement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project webpage</td>
<td>Provides project information in one location.</td>
<td>Established 11/2018</td>
<td>Inform</td>
</tr>
<tr>
<td>E-Newsletter article(s)</td>
<td>Provide project information on specific topics or issues.</td>
<td>Edition(s) TBD</td>
<td>Inform</td>
</tr>
<tr>
<td>E-update(s)</td>
<td>Establish online sign up mechanism and share periodic project updates</td>
<td>Established 11/2018</td>
<td>Inform</td>
</tr>
<tr>
<td>Social Media Campaign (ex. LinkedIn, Facebook, Twitter, etc.)</td>
<td>Build overall awareness and promote project activities and findings.</td>
<td>On-going/as needed</td>
<td>Inform</td>
</tr>
<tr>
<td>Factsheet/FAQ’s</td>
<td>Provide information about project and answer common questions.</td>
<td>Develop and update as needed</td>
<td>Inform</td>
</tr>
<tr>
<td>Open House – Online or in person (possible video)</td>
<td>Introduce project, present existing conditions and gather feedback</td>
<td>Date(s) based on project timeline</td>
<td>Consult, gather feedback</td>
</tr>
<tr>
<td>Key messages</td>
<td>Convey main points of project</td>
<td>As needed</td>
<td>Inform</td>
</tr>
<tr>
<td>Media release</td>
<td>Announce timely information</td>
<td>As needed</td>
<td>Inform</td>
</tr>
<tr>
<td>Presentations/Events/ Focus Groups (possible video)</td>
<td>Provide project information and receive feedback</td>
<td>As opportunities arise</td>
<td>Inform and gather feedback</td>
</tr>
<tr>
<td>Mailings/postcards</td>
<td>Provide information, invite to participate, request feedback</td>
<td>Create based on project timeline, update as needed</td>
<td>Inform</td>
</tr>
<tr>
<td>One-on-One meetings</td>
<td>Provide information, gather feedback</td>
<td>As appropriate</td>
<td>Inform and gather information</td>
</tr>
<tr>
<td>Technical Advisory Committee</td>
<td>Provide input and feedback on options to consider for code updates</td>
<td>Establish 12/2018 then throughout the project</td>
<td>Consult, gather input and feedback</td>
</tr>
<tr>
<td>Survey</td>
<td>To gather information and feedback</td>
<td>At the end of the project</td>
<td>Gather feedback</td>
</tr>
<tr>
<td>Analytics</td>
<td>Evaluate effectiveness of outreach</td>
<td>On-going</td>
<td>Analysis</td>
</tr>
<tr>
<td>Debrief meetings</td>
<td>After key project milestones</td>
<td>As needed</td>
<td>Analysis</td>
</tr>
</tbody>
</table>
VI. Community Involvement Process

Advisory Bodies & Decision-Making Structure

The decision making structure is represented by the graphics below. The structure is designed to ensure that the community is engaged and consulted, and that the Springfield City Council and committees have the benefit of that community input at major milestones of the project.

Each phase of the project, Housing, Commercial/Industrial, and Other, will go through a similar process as represented in these graphics.

- The Technical Advisory Committee will perform an analysis of the existing code and new code concepts and provide technical advice on how changes could be made and why the changes are proposed based on the Project Objectives.

- The Governance Committee will identify key issues and provide direction on areas of focus and opportunities at a policy level.
• The public will be engaged throughout the project as highlighted above in the engagement strategies. A concerted community outreach effort will seek input from the community on concepts and draft code language that is developed during each phase of the Project. All of this input will feed into a public hearing draft code that will be presented to the Planning Commission. The Planning Commission will conduct a public hearing process and make a recommendation to the City Council. The City Council will conduct a second public hearing process and take into consideration the Planning Commission recommendation as well as additional public input to make a final decision.

Process

The following diagram represents an example of how the dynamic process of the decision making between the different participants might look for the housing portion of the code update process.

Decision-Making Groups

**Springfield City Council:** The Springfield City Council has oversight and decision making responsibilities for the Project. The project team will provide briefings to the City Council and solicit feedback and guidance at regular check-in meetings, either quarterly or on an as needed basis. The Springfield City Council holds the ultimate local authority on the approval and adoption of the final Development Code.

**Governance Committee:** A Governance Committee will be established to provide informed direction on the Project to the Project Core Team. The Governance Committee will be comprised of two City Councilors and two Planning Commissioners. One role of the Governance Committee
will be to provide an additional opportunity for the community to provide input. The committee members will provide updates to their respective bodies (Planning Commission and Council).

**Planning Commission:** The Springfield Planning Commission will provide recommendations to the City Council on the draft project materials. The Planning Commission will act in its capacity as the Committee for Citizen Involvement (CCI) to approve the Community Engagement Plan. Throughout the process the Planning Commission will conduct meetings and a public hearing that will provide opportunity for community input.

**General Public Input**

Springfield community members will have multiple opportunities to provide input at key points throughout the project as outlined in the Community Engagement Strategies. The Decision Making Structure and Process diagrams above also identify points where community members can provide input and comments for consideration.

**Advisory Group**

**Technical Advisory Committee (TAC):** The role of the Technical Advisory Committee is to provide the Project Core Team with support necessary to develop code revisions by:

- Establishing a forum to identify, discuss, and resolve technical issues and concerns.
- Establishing a forum to maintain interdepartmental and interagency communication.
- Providing data and information, as requested.
- Reviewing and providing feedback on draft work products in a timely manner.

**Membership:** Upon formation, the TAC will be comprised of various interests from within the community. The Project Core Team will actively reach out to potential participants to invite them to the TAC. There will be multiple compositions of the Technical Advisory Committee over the life of the project. At the outset of the Project a Housing related TAC will be formed. Later on a TAC focused on Economic Development, and finally a TAC to address many other areas of the Development Code. It is also anticipated that focus groups related to specific topic areas may be formed to address identified areas of the Development Code.

Part of the TAC will include City staff, other government agencies staff, and utility provider participants on a topic specific basis. TAC meetings will be open to the public for observation. The list of proposed TAC member representatives is below.
Members of the TAC will be invited to represent the following areas:

**Housing participants:**
1. Home Builders Association of Lane County
2. Residential developer
3. Residential contractor
4. Non-profit housing developer
5. Consultant (land use, engineering, architect, etc.)
6. Springfield Board of Realtors - residential realtor
7. Historic Commission
8. Housing/low cost housing advocate
9. American Disabilities Act (ADA) representative
10. Insurance/financing representative
11. Property management/multi-family housing developer
12. Springfield resident
13. Springfield youth

**Government agencies:**
1. Oregon Department of Land Conservation and Development (DLCD) - South Willamette Valley Regional Representative
2. Lane County – Land Management
3. Lane County – Engineering, Transportation Planning
4. Lane County – Health and Human Services
5. Willamalane Park and Recreation District
7. Lane Transit District
8. Oregon Department of Transportation

**Economic development participants:**
1. Springfield Chamber of Commerce
2. Commercial Industrial Developer
3. Commercial/industrial contractor
4. Business owner
5. Consultant (land use, engineering, architect, etc.)
6. Commercial realtor
7. Commercial appraiser
8. Springfield consumer

**City participants (on a topic specific basis):**
1. Building program
2. Fire Marshalls Office
3. Economic development
4. Emergency management
5. Civil engineering program
6. Transportation engineering
7. Transportation planning
8. Current planning
9. Comprehensive planning
10. Storm water Program
11. Housing

**Utility participants (on a topic specific basis):**
1. SUB Water
2. SUB Electric
3. Rainbow Water District
4. Comcast
5. Charter
6. EWEB
7. Sanipac
8. NW Natural Gas
VII. Measures of Success

Measures of success will help determine the effectiveness of community involvement efforts. Measures are based on the established Community Engagement Goals specified in Section II of this plan. The City will evaluate the effectiveness of the community engagement throughout and at the end of the Project. The following factors can be used to assess the engagement efforts in addition to or in relation to the Community Engagement Goals.

- Number of participants attending meetings or events.
- Number of responses received to a survey.
- Number of website views during a specific time period.
- Number of people who sign up for the project mailing list.
- Number of people who opened and clicked through on e-updates.
- Number of project comments received (phone, email, comment cards, online).
- How project decisions have been modified as a result of public input.
- Whether the comments received are relevant to the project (project understanding).
- Was the Project executed as planned, or did changes support the goals.
- Level of acceptance of Project outcomes.
- Survey participants to assess the level of understanding of process and changes.

Project Timeline

This high level project timeline shows and demonstrates how the project is intended to be phased.
ITEM TITLE: DEVELOPMENT CODE UPDATE PROJECT – STATUS

ACTION REQUESTED: Planning Commission input or feedback on the Development Code Update Project including the process so far and project components. Staff will be providing Planning Commission an update on the status of the project and presenting the final Housing Code Audit report.

ISSUE STATEMENT: The Development Code is difficult to use, understand, and implement. Resolving the complexities and outdated nature of the code will help achieve the economic and housing goals for our community. The City Council has directed staff to complete a full Development Code Update.

The purpose of this work session is to provide the City Council with an update on the project status, review the final Housing Code Audit report, and receive input and feedback from the City Council on the project components.

ATTACHMENTS: Attachment 1 – Final Housing Code Audit report
Attachment 2 – Project Purpose hand out

DISCUSSION/FINANCIAL IMPACT:
Staff last presented to the Planning Commission on this project on 3/19/19, providing a project status update. The Planning Commission reviewed the draft Housing Code Audit report and received an update on clear and objective standards development. The Project team for the Development Code Update Project has continued to meet with the Community Technical Advisory Committee (TAC) and worked with our consultant to finalize the Housing Code Audit report.

At this meeting the project manager will discuss the final Housing Code Audit report, the continued process to date, and the progress on moving into Phase 2 of the project. Phase 2 - the Economic Development phase involves looking at the development code for Commercial and Industrial lands.
Acknowledgements

Community Technical Advisory Committee for Housing:

Lee Blue
Andrew Boyles
Dennis Covert
Anne DeLaney
Philip Farrington
Charles Harding
Laurie Hauber
Tim Hilton
Gregory James
Kristen Karle
Kris McAlister
James McLaughlin
Richard Satre
Betsy Schultz

City of Springfield:

Mark Rust, AICP, Senior Planner
Kristina Kraaz, JD, Assistant City Attorney
Brenda Jones, Management Support Specialist

Department of Land Conservation and Development:

Patrick Wingham, AICP, Southern Willamette Valley Regional Representative

Consultant Team:

Anaïs Mathez, Project Planner, 3J Consulting

Elizabeth Decker, Project Planner, JET Planning

This project is funded by Oregon general fund dollars through the Department of Land Conservation and Development. The contents of this document do not necessarily reflect the views or policies of the State of Oregon.
<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Introduction</td>
<td>1</td>
</tr>
<tr>
<td>Code Audit Format and Methodology</td>
<td>2</td>
</tr>
<tr>
<td>Summary Audit Findings</td>
<td>3</td>
</tr>
<tr>
<td>Detailed Code Audit Findings</td>
<td>4</td>
</tr>
<tr>
<td>Code Organizational &amp; Overarching Issues</td>
<td>22</td>
</tr>
<tr>
<td>Additional Audit Findings</td>
<td>24</td>
</tr>
<tr>
<td>Proposed Code Update Schedule</td>
<td>25</td>
</tr>
</tbody>
</table>
INTRODUCTION

This code audit is part of the City’s overall, multiyear effort to fully update the Springfield Development Code. The audit will inform and guide the drafting of new residential code standards to be adopted as part of the first package of code amendments. The code update is intended to be a full rewrite process.

The purpose of the larger Development Code Update project is to change the Springfield Development Code (SDC) to support efficient, timely, and clear development review. The updated Development Code will support Springfield’s economic development priorities and will honor Springfield’s home town feel now and in the future.

The purpose of the clear and objective housing standards review, as a first phase of the Development Code Update Process, was to audit applicable residential standards to identify concerns about whether a clear and objective review option exists for all residential development, identify significant regulatory barriers to residential development, and to identify additional regulatory opportunities to support the development of desired housing types identified in the City’s Housing Needs Analysis. The SDC contains many different sections that apply to housing. Standards include base zone standards, design and development standards, infrastructure standards, and development review process standards, including project approval criteria. The overarching goal for the code audit is to identify regulatory barriers to the development of a wide variety of housing types in compliance with both the letter and the spirit of Oregon’s clear and objective requirements, to better meet the City’s identified needs for housing.

State law requires a “clear and objective” review path for all “needed housing,” which may not cause “unreasonable cost or delay.” (See ORS 197.307.) Needed housing includes all housing types within residential and mixed-use zones that meet the needs of households at all income levels within the Urban Growth Boundary, effectively including all housing in Springfield. (See ORS 197.303.) A “clear and objective” review path means that there is only one way to interpret a standard, so that there is no discretion when applying it. However, cities may develop an optional review path with discretionary standards as an alternative to the clear and objective review path, for a limited number of exemptions, notably for historic districts.

Please note, 3J Consulting and JET Planning are not law firms and therefore cannot provide legal advice. This report is intended for general information. The City should discuss these issues with its legal counsel.
The code audit was developed through a comprehensive review of the existing Springfield Development Code against multiple performance objectives. The audit first identified standards impacting residential development across all zones, including mixed-use development. The primary goal of the audit was to identify whether standards supported a clear and objective path for development, consistent with state requirements. The audit also identified barriers to development caused by inefficient, unclear or inflexible standards, and considered the impact of standards on project development costs. In some cases, it could be the presence or absence of standards that limit development potential, such as the lack of standards allowing certain “missing middle” housing types. Finally, the audit balanced potential development barriers against standards necessary to promote quality development and maintain a “home town feel,” to uphold City Council priorities.

This report primarily focused on the standards that lacked clear and objective review paths, causing barriers to efficient and timely development. Standards that are working well are discussed in less detail.

Given that the City intends to write primarily new development code standards, rather than targeted edits to the existing standards, many of the audit findings are broad commentary on existing uses, standards, and review processes, rather than line-by-line analysis of the existing standards. Several sections identified by staff that are expected to be modified, rather than wholesale replaced, were audited in greater detail including the multi-unit design standards for multifamily residential development.

The audit findings were developed and refined through a series of public meetings with the Community Technical Advisory Committee (TAC) for Housing and in-depth discussion with City staff from multiple departments. The TAC met four times during the course of the project:

- January 23, 2019: Introductory meeting with Project Manager Mark Rust to convene the TAC.
- January 28, 2019: Overview of existing standards against audit goals to gather initial TAC impressions.
- March 11, 2019: Review of draft audit findings for TAC refinement and comments.
- April 8, 2019: Extended review of draft audit findings.

TAC comments and staff insights are integrated into the audit, with conclusions offered by the audit authors.
The significant audit findings can be summarized in four main categories:

1. **There are opportunities to both consolidate redundant residential use categories and expand those categories to provide more “missing middle” housing options** in more residential zones, with corresponding dimensional standards and special development standards as needed. Development of clear and objective standards could also support reviewing a greater variety of projects through non-discretionary Type I and II review processes.

2. **Clear and objective development standards exist for many residential development types**, but further revisions are recommended for the multi-unit residential standards and mixed-use standards that apply to residential development. There are also significant opportunities to revise the multi-unit standards to remove barriers to development and explore moving beyond one-size-fits-all standards that have reportedly produced a largely uniform housing product in recent years.

3. **Additional revisions to the approval criteria for site plan review and land divisions are recommended** to support a clear and objective review path for residential development.

4. **Infrastructure improvement standards could be better divided between the SDC and the more technical engineering standards manual, the EDSPM.** Generally, standards that affect site design such as block spacing and vehicle access standards should be located in the SDC, while detailed technical specifications about construction techniques could be better located in the EDSPM.

These recommendations illustrate key opportunities for revisions as part of the larger, multi-year Springfield Development Code Update project to better support quality residential development through clear and objective review paths.
LAND USE DISTRICTS (Chapter 3)

Residential zones (Section 3.2-200):

♦ Residential Zoning Districts (3.2-205):

- Requirement for a Refinement Plan and a Master Plan to implement the Small Lot Residential District (SLR) appears to be a barrier to applying the zone and realizing opportunities for smaller lot residential development at the desired density range of 8-14 units per acre.

- Minimum and maximum densities included in the district definitions appear to be the only place where density standards are listed; this is an unusual place to locate them. Density standards could be better addressed in a section of their own.

♦ Use Categories (3.2-210): Existing residential use categories allowed in one or more zones include accessory dwelling units (ADUs), single-family attached dwellings, condominiums, cluster subdivisions, cottage clusters, detached single-family dwellings, duplexes, manufactured home parks, individual manufactured homes, manufactured home subdivisions, mobile homes, multiple-family residential including apartments, prefabricated dwellings, and zero lot line dwellings. Generally, consider opportunities for more housing types in fewer, broader categories, and in more zones with lower-level review required. Specific recommendations include:

- Some use categories could be combined for simplicity. For example, individual manufactured homes should generally be permitted under the same circumstances as single-family detached dwellings, so those use categories could be combined. Other use categories that are based on development standards, like ownership or land division used to create the units, but that otherwise apply to same residential types could also be consolidated. For example, zero lot line dwellings are single-family detached dwellings distinguished by their setback configuration, so they could be permitted as part of the broader single-family detached use category with additional setback standards provided in Section 3.2-215. Similarly, condominiums are similar in form to multiple-family housing, aside from ownership patterns, and could be regulated as such.

- The multiple-family dwelling use category encompasses all development with three or more units on a single lot; the use is permitted with site plan review in the MDR and HDR zones and prohibited in the LDR and SDR zones. This use category could be broken into several distinct categories that could then be permitted across more zones with a level of review appropriate for potential impacts. Triplexes, quadplexes and courtyard apartments with 5-12 units could be pulled out as separate use categories, permitted in a broader range of zones subject to special design standards calibrated to site design needs, for the scale of each use.
• Cottage cluster housing is permitted in the SLR and MDR zones, but would benefit from special development standards in Section 4.7-100 to more fully implement the concept. Cottage housing typically allows for development of a greater density of units, at a smaller scale, clustered around a common courtyard; no such standards currently exist to support meaningful cottage cluster development. There is some overlap with cluster subdivisions, but not clear alignment; see further discussion below of the development standards in Section 3.2-230.

• Cluster subdivisions may not need to be permitted as a separate use, but rather, be treated as alternative form of land division that includes housing types already permitted in other use categories, or combined with cottage cluster development. See further discussion below of the development standards in Section 3.2-230.

• Definitions of use categories in Section 6.1-110 should be reviewed and updated to match terms used in this table for clarity.

♦ Base Zone Development Standards (3.2-215): The dimensional standards here are not as clear as they could be, given the number of notes and exceptions. It is not clear when some of the exceptions apply, for example, lot coverage for MDR and HDR is set at 45% but can be increased to meet the density requirements, per note 17, without detail about how to qualify for the increase. Another general observation is that the base standards for the MDR and HDR appear fairly restrictive, creating potential barriers to development, and it is not clear when the exceptions to exceed the standards would be approved. Specific standards worth further consideration include:

• Differentiated lot sizes for single-family and duplex development based on orientation of the street are unusual, and may create complications for development; balance underlying policy goals against simplicity of a single lot size standard.

• The alternative dimensions for Hillside Development and Urbanizable Fringe Overlay Districts could be relocated to those respective chapters, to simplify this table.

• MDR and HDR standards including the 45% maximum lot coverage, 35-foot maximum height, and 4,500 to 9,000-SF minimum lot size appear fairly restrictive for the uses and density ranges desired. Exceptions, some tied to the Multi-unit Design Standards in Section 3.2-240, may allow greater intensity development, but are not presented clearly in this table. For example,
maximum height is listed at 35 feet but Note 14 allows a maximum 50-foot height for these districts, if additional setbacks in Section 3.2-240.D.3.c are met; the table could more clearly state the 50-foot height limit rather than referencing a footnote.

- Density minimums and maximums are not included in this table or elsewhere, aside from the district definitions in Section 3.2-205, and are only inferred by minimum lot size.
- Additional development standards could be developed to better support variety of missing middle housing types, rather than uniform standards by zone. For example, single-family attached development, in the zones where permitted, would benefit from a lower minimum lot size compared to single-family detached development.

♦ **Panhandle Lot Standards (3.2-220):** No significant concerns.

♦ **Base Solar Development Standards (3.2-225):** These add considerable complexity to the allowed height and required setbacks in each zone, and have the potential to require relatively high setbacks—in excess of 20 feet for many developments—which impacts development potential of a site and may be a barrier to development. Applicability of standards to base zones could be clearer.

♦ **Cluster Subdivision Standards (3.2-230):** Cluster subdivisions are intended to create more flexibility for arranging dwellings on smaller, typically infill lots of one acre or more, resulting in innovative arrangements with more common public open space and greater affordability. The cluster standards allow a mix of dwelling types, allow reductions in lot sizes and individual lot setbacks, and require common open space as part of an alternative land division process. No increase in density is permitted for cluster developments beyond base zone standards. There is considerable overlap between the cluster subdivision standards and typical cottage cluster housing standards; the most notable exception is that cottage cluster standards typically permit increased density in exchange for smaller scale development (height, building footprint, etc). The cluster subdivision standards have a fundamentally different land division process, whereas typical cottage housing projects are developed on a single, shared lot.

Given the significant overlap between cluster subdivision and cottage cluster housing uses, the standards could be revised to consolidate the uses and better meet the site design goals that typically define cottage cluster housing, while retaining optional alternative land division standards for projects wishing to create individual dwelling lots. Recommended revisions to the existing cluster subdivision standards could implement the goals of both cottage housing and cluster subdivisions as follows:

- Allow increased density for cottage housing projects relative to base zones, to reflect the smaller scale and compact form of such dwellings.

- Retain existing standard in Section D allowing a range of dwelling types, including single-family detached, single-family attached, and duplexes in the LDR zone per Section D.

- Develop minimum lot sizes, dimensions, setbacks and height scaled to smaller dwellings in Section E, in place of existing open-ended standards. To support cottage housing style development with lots fronting a common green rather than a public road, add explicit provisions for reducing or eliminating minimum lot frontage requirements.

- The neighborhood compatibility standards in Section F, while seemingly clear and objective, could create a significant barrier to development by requiring up to 25-foot setbacks around the perimeter of the cluster, which significantly exceeds the setbacks in the LDR base zone. Consider
whether there is significantly greater intensity of use possible through the cluster subdivision ordinance that merits additional setbacks, or reduce setbacks to align with base zone standards. For example, the additional height transition requirement for projects adjacent to single-story buildings requires up a 25-ft setback for two-story buildings that would not apply to a traditional single-family detached home built through the base zone standards, allowed up to 30 feet tall with as little as 5-10-foot setbacks.

- Design standards for dwellings in Section G appear reasonably clear and achievable; notably, they do not require a front porch which is a common feature of cottage housing design standards. They could be further reviewed for consistency with residential design standards in Section 4.7-100, or other cottage housing standards, if desired.

- Application of a landscape buffer option as a condition of approval in Section J is discretionary, seemingly based on whether concerns about buffering are raised during the review process. Consider developing a specific standard for buffering, if so desired, or removing discretionary option.

- Note that cottage cluster standards may or may not be required to meet the clear and objective standards requirement, because they offer a higher density development alternative to clear and objective development meeting base zone standards, consistent with ORS 197.307(6). Best practice for these and all residential standards is to strive for clear and objective standards to remove uncertainty and potentially reduce barriers to development.

- **Residential Manufactured Dwellings (3.2-235):**
  - Integrate standards for manufactured homes currently located in the definitions section. Standards requiring a minimum size of 1,000 SF for manufactured homes limit options for smaller housing options, including tiny homes.
  - Review standards for manufactured home parks for compliance with state building code standards. Consider simplifying the city standards to address only issues outside of the state building code, to avoid conflicts. Generally, standards will be applied to existing parks seeking modifications rather than
new manufactured home parks (land values and development economics disfavor new parks), so focus on local standards that support redevelopment of existing parks without triggering nonconformity concerns.

♦ Multi-unit Design Standards (3.2-240): Multi-unit standards must be clear and objective, and aim to achieve quality development as experienced by both future residents and abutting property owners, while keeping development costs reasonable to ensure that projects will “pencil” and actually get built. Generally the standards appear reasonable and consistent with other jurisdictions; exceptions are noted below.

- Design standards are currently “one size fits all” for projects with three or more units, which can create barriers to development of smaller projects under 20 units or so. Evaluate recent development trends and projected future opportunities, including sizes of vacant and developable lots, to identify if there is an opportunity for distinct standards for projects of different sizes. As suggested above in reference to Section 3.2-210, consider creating separate use categories for smaller projects with 3-4 units, 5-12 units, or other tiers matching observed and projected development trends, and developing design standards scaled to each category.

- Requirement for Type II review in Section C could be changed to a Type I review; assuming all standards are indeed clear and objective, it should be possible to review projects through a Type I process. The option to elevate review to Type III review “when it is in the public interest” does not appear to guarantee a clear and objective review path for all development and should be removed.

- The LDR compatibility standards in Section D.3 require significant site area to be devoted to setbacks, which can be a barrier to development. The exception to compliance with the standards for LDR-sites committed to a long-term non-residential use could be worded more clearly. Matching the front setback to adjacent development can reduce buildable area, and creates less certainty for multifamily development given that it depends on site-specific conditions. The standards for the 25-foot buffer area required adjacent to LDR sites should be reviewed for intent and effectiveness; it is a large area, that can be further increased up to 50 feet for buildings 50 feet tall, with significant impacts to site development feasibility. The development allowed in the buffer area does not seem to support a consistent rationale for the buffer area, raising questions about its effectiveness. For example, landscaping requirements that could provide more effective buffering are vague, and rely upon discretion to determine what mix of planting, fencing, and acoustical barriers are required. The buffer area can be counted towards the open space requirement, but cannot be developed for active recreation areas, which may decrease the usability of the buffer area.

- Open space standards in Section D.5 could benefit from greater clarity of purpose and relationship to other standards. The overlap is not clear between the minimum 15% open space requirement here and minimum 15% site landscaping required in Section D.6; if they are presumably the same 15% of the site, then the standards are duplicative, and if they are not, there are concerns about how much total site is taken up to meet the two requirements. The overall minimum 15% open space requirement, inclusive of yards and some provisions for resource areas, appears reasonable, but it is not easy to calculate whether the common and private open space requirements are high enough that it drives the total site area above 15% after accounting for yards. There may be opportunities to reduce the cumulative impact of setbacks, buffer areas, common and private open space, and landscaping standards, but it is
difficult to determine their combined footprint and impact on development feasibility as the standards are currently written. The open space reduction option for multi-family developments close to public parks in Section 5.b.x provides greater development flexibility while maintaining access to open space, and is consistent with standards in similar jurisdictions.

- Planting requirements in Section D.6.a are not clear about the desired ratio of trees, shrubs and other plant materials, only an overall percentage, and may not lead to a desired mix.

- Parking requirements in Section D.8 should be evaluated for overlap with parking standards for all development in Section 4.6-100, and consider combining. As currently written, there appears to be minimal overlap, but many of the multi-unit standards are common features of parking codes and could be rewritten into a central parking chapter. Lighting requirement in Section D.8.b should specify a foot-candle lighting level rather than the discretionary “for safety purposes.” Standard to reduce stormwater runoff “as practicable” in Section D.8.j is not clear; the goal is likely addressed through separate stormwater standards and may not be needed here.

- Vehicular circulation standards in Section D.9 could benefit from greater clarity or connection to related standards, specifically for the shared driveway standard in subsection b, to be provided “where practicable,” and the alley requirement in subsection d, when alleys can “reasonably be extended.”

- The regulatory and descriptive power of the figures at the end of the section is not clear. Repetition of the same figure in Figures 3.2-L, M, Q and R with different text and arrows provides little additional benefit. There are also some inconsistencies between the text and the figures, such as Figure 3.2-N specifies a maximum building length of 160 feet for 1-2 story buildings, and 120-foot length for 3 stories and taller. However, Section D.2.a only includes the former standard and does not appear to include a standard for taller buildings.
Multi-unit Discretionary Criteria (3.2-245): This section provides an option to comply with alternative design discretionary criteria in place of the clear and objective standards in Section 3.2-240. These criteria appear to have a good one-to-one correspondence with the design standards, no significant concerns about content. Review requirements in 3.2-245.A could be clearer to explain what combination of design standards, discretionary criteria, and adjustments in Section 3.2-250 can be applied to a given project, whether a mix is permissible or if a project must comply with all of one track or the other.

Multi-unit Design Standards Variance (3.2-250): This section provides a third option to satisfy the design objectives for multi-unit development, through an adjustment to the design standards, which is a welcome option. Many cities require either full compliance with clear standards or with discretionary criteria; the option to adjust one problematic standard rather than subjecting the entire project to discretionary guidelines should provide a meaningful “release valve.” However, the section could benefit from clarification about the exact procedural options; Section 3.2-250.A allows adjustments up to 20% by the Director, presumably a Type II review, and requires greater adjustments to comply with a Type III Major Variance process in Section 5.21-130, which is presumably the same as the Planning Commission review of adjustments referenced in Section 3.2-245.A. The general approval criteria for all adjustments in Section 3.2-250.B, allowing adjustments only for unusual site features not of the applicant’s own making, could be reviewed and revised to allow more projects to qualify for adjustments. One option could be to develop different thresholds for adjustments and variances, with a lower bar for adjustments than variances.

Commercial zones (Section 3.2-300):
The use table in Section 3.2-210 allows limited residential uses including in designated mixed-use areas, and one single-family dwelling as a secondary use in the NC and CC zones.

The use table in Section 3.2-210 and referenced Section 4.7-210 allowing residential uses as part of designated mixed-use areas could benefit from greater clarity either as part of zoning district standards or zoning map revisions. If there are commercially zoned properties intended for mixed-use development, those properties should be rezoned to a mixed-use district rather than a roundabout application of mixed-use standards in commercial districts.

Additional clarity on the applicable development standards for residential development in commercial zones is also needed, in place of the reference in Section 4.7-210.A to follow “MDR and HDR District standards.” MDR and HDR standards are not identical; for example, would development be allowed at the density permitted for MDR or HDR?

Greater clarity regarding allowed secondary residential uses is needed, to determine whether this is intended to be similar to a live-work situation or perhaps similar to night watchman’s quarters, which are regulated in Section 4.7-185.

Note that residential uses in commercial zones, where permitted, should be permitted through a clear and objective process.
Mixed Use zones (Section 3.2-600):

Residential uses in mixed-use zones should be permitted through a clear and objective process, and it does not appear that this requirement is met with the current code.

- **Uses (3.2-610):** A mix of residential uses from rowhouses to multiple family dwellings is permitted across the mixed use districts. The limitation that such uses are only permitted in “Areas Designated Mixed-Use in the Metro Plan or Refinement Plans” creates an unnecessary external reference; consider fully integrating the Metro Plan and Refinement Plans into the adopted zoning map, so that areas with mixed-use zoning only need to consult the standards in this section.

- **Base Development Standards (3.2-615):**
  - The dimensional standards for the MUR zone reference the residential development standards in Sections 3.2-215 and 3.2-225 for the residential zones, but do not clearly identify which of residential standards apply. Consider developing dimensional standards specific to the MUR zone, or clarifying the reference to the HDR or MDR standards.
  - Note 1 grants the Director the discretion to waive requirement for minimum lot frontage. Because there is a clear and objective standard in the table for lot frontage, an alternative discretionary standard is permissible. Usability could be improved by specifying the process through which the Director can grant the exception.

- **Conflicts and Exemptions (3.2-620):** The exemption process in Section B allows the Director to approve exemptions, presumably through a Type II process; but this section could more clearly define the required review process and criteria for an exemption from the standards rather than “to the Director’s satisfaction.”

- **Development Standards (3.2-625):** Mixed-use districts are explicitly required to apply clear and objective standards to residential uses, which is a departure from earlier state legal requirements and a potential challenge to translate the design objectives of many mixed-use districts into clear and objective language. This section offers two options, compliance with the standards or an alternative design that equally or better meets the intent; this could be the foundation for developing a two-track set of standards including a clear and objective option and a discretionary alternative. However, the existing text needs additional clarification about the distinction between the two sets of standards and the required reviews for each, as well as additional clarity throughout the individual standards as they apply to residential development to remove discretionary language.
  - The standards incorporate considerable subjectivity, particularly those for Building Design Standards, Street Connectivity, and Neighborhood Compatibility.
  - It is not clear which of the standards apply to residential uses, whether an entirely residential building or a residential portion of a mixed-use building. Some standards such as the ground-floor window requirements in Section A.1 and 2 are differentiated for commercial, civic and industrial uses, but do not include a standard for residential uses. The only standard that specifically applies to “mixed-use residential development” is the weather protection standard in Section C.
Specific Development Standards (3.2-630):

- The percentages of commercial and residential uses allowed per Section A.1.b could be better expressed; the allowance for up to 100% residential uses is not possible to achieve given that 60% of the ground floor must be used for commercial uses.
- The requirement in Section C.4 for MUR residential uses to also meet the multi-unit design standards in addition to the mixed-use standards in Section 3.2-625 is a concern. Applying two sets of standards is at best overkill and at worst conflicting. Consider developing distinct standards for mixed-use residential projects that could build upon the multi-unit design standards with refinements specific to mixed-use development, such as ground-floor active use requirements or transparency standards.
- The allowed density in the MUR district of 12-20 units per gross acre minimum with no maximum appears consistent with the medium and high-density districts. However, the residential districts express density in units per net acre, with minimums of 14-28 units per net acre per Section 3.2-205.C and D; density should be measured consistently for easier alignment.

Willamette Greenway Overlay District (3.3-300):

The requirement for a Discretionary Use permit and the discretionary greenway standards in Section 3.3-325, which are directly derived from the state’s Goal 15 language, primarily apply to water-dependent and water-related uses permitted in the greenway, which do not generally include residences, as defined in Section 6.1-100. However, there is residential and mixed-use land within the Willamette Greenway where some minimum residential development allowance subject to clear and objective standards should be developed, including clarity about allowed residential uses. Additional consultation with DLCD is recommended to develop a balanced approach implementing Goal 15 to protect the Willamette Greenway, while complying with clear and objective standards.

Floodplain Overlay District (3.3-400):

The Floodplain Overlay District affects some residential properties, thus requiring a clear and objective review path. Type I permits are required to demonstrate compliance with general and specific residential criteria in Sections 3.3-420.A and B.1, which generally appear to provide a clear and objective development option.
Hillside Development Overlay District (3.3-500):
Standards apply to sites or portions of sites that are over 670 feet in elevation or where any portion of the site has average slopes in excess of 15%. There are two options for residential development in Section 3.3-520 to determine allowable lot sizes and density, an allowable minimum based on average slopes or a density transfer option; both sets of standards appear clear and objective though there may be opportunities to refine the slope calculation technique for simplicity and uniformity. The minimum lot sizes in Table 3.3-1 repeat those in Section 3.2-215, and could be limited to this chapter to avoid duplication. The geotechnical report requirements in Section 3.3-530.A could be a concern because they rely on professional engineering judgment to demonstrate that lots are “suitable for development” and impose “the minimum variance from the natural conditions,” among other discretionary standards.

Urbanizable Fringe Overlay District (3.3-800):
The limited development options in this overlay generally provide a clear and objective option for residential development, however, some of the restrictions to ensure future development at urban densities are not clear. Specifically, Section 3.3-825.D.2 allowing the application of “Additional development restrictions that limit the location of buildings and on-site sewage disposal facilities shall be applied where necessary to reserve land for future urban development,” appears discretionary.

Nodal Development Overlay District (3.3-1000):
This overlay is intended to support mixed-use development nodes centered around transit stops, but given overlap with mixed-use districts, should be reevaluated to determine whether it provides additional development guidance beyond the existing mixed-use zones and standards. If retained, the additional design standards for single family and duplex residential in Section 3.3-1025.A include some discretionary language that should be further reviewed to ensure a clear and objective option exists for all residential development.

Glenwood Riverfront Mixed-Use Plan District (3.4-200) and Booth-Kelly Mixed Use Plan District (3.4-300):
Residential uses are allowed in significant portions of these plan districts, without a clear and objective option for development. The district standards were developed to implement the Refinement Plan for the areas, which includes broader, discretionary goals that may not translate as easily into clear and objective standards. Further examination and revision of these plan districts is planned for a later phase of the SDC Update project.
INFRASTRUCTURE DEVELOPMENT STANDARDS (Sections 4.1, 4.2, 4.3)

The central challenge is to determine that balance between the infrastructure improvement standards that should be located in this chapter of the development code, and those that should be located in the engineering standards (EDSPM). While a complete audit of infrastructure standards is outside the scope of this audit, some general guidelines include:

♦ Design issues that relate to land use approvals, such as tentative subdivision plans and site plans, should be included in the development code, while design and construction details should be located in the EDSPM. For example, street spacing and widths should be included in the SDC, but construction details about compaction and base layers for the roadway would be located in the EDSPM.

♦ Many infrastructure development requirements affect residential development and should have a clear and objective development option. There can still be a role for engineering discretion or analysis, however, provided it is through an alternative review path. For example, a clear and objective spacing requirement for block length could cap block length at 600 feet, while allowing an alternative length to be approved based on topography, natural resources, or other factors through an adjustment or similar process, similar to the existing standards in Section 4.2-115.

♦ There can still be a role for expert analysis and professional judgment, such as for stormwater reports or geotechnical analysis. One approach that may meet clear and objective requirements is to require a stamped report completed by a licensed professional as part of a land use application, which requires exercise of professional judgment in creating the report, but not City discretion in the acceptance of the report. A potential concern with this approach, however, would be situations with “dueling experts,” in which the conclusions of the applicant’s report were called into question by either the City or project opponents. This has emerged as a statewide issue and merits further consultation with DLCD.

♦ Processes to modify infrastructure standards in the SDC and EDSPM should be clear and aligned with process to modify other land use standards. The Public Works Director currently may modify the infrastructure standards in Sections 4.1, 4.2, and 4.3 on “a case-by-case basis” outside of the variance process “when existing conditions make their strict application impractical” (Section 4.1-110.B), which does not support clear and objective application of necessary infrastructure standards. While flexibility is necessary, modifications to those infrastructure standards that remain in the SDC should be reviewed through the existing variance process in Section 5.21. An alternative design modification review process may be developed for modifications to the EDSPM standards outside of the land use process, to address the more technical aspects of infrastructure development that often do require modifications for site conditions.

♦ Some regulatory requirements are driven by state and federal standards, such as stormwater, and may change more quickly than the development code is updated. Where possible, reference outside standards rather than integrating into the development standards.
SITE DEVELOPMENT STANDARDS (Sections 4.4, 4.5, 4.6)

Landscaping (4.4-100):
No specific concerns noted as applied to residential development; the exception to the landscaping standards for single-family residential and duplexes in Section 4.4-105.E could be clearer about which particular standards are exempted.

Lighting (4.5-100):
No specific concerns noted as applied to residential development; single-family and duplex residential is exempt from these standards.

Off-street Parking (4.6-100):
The minimum off-street parking spaces required in Section 4.6-125 range from .75 to 2 spaces per residential unit. Specific recommendations include:

♦ The requirement for multi-family is 1.5 spaces per unit and is within a typical range for cities of similar scale, but can be a barrier to development by requiring that a large portion of the site be devoted to parking. Consider whether a lower minimum requirement, such as 1.0 spaces per unit, a scaled parking requirement based on unit size, or additional site-specific earned reductions, such as for projects near transit or that provide shared vehicles, could better balance parking needs and site development flexibility to maximize housing units.

♦ The requirement for 4-5 unit multifamily projects to provide 0.75 spaces per bedroom, rather than per unit, could be revised for greater consistency with other parking requirements and to reduce burdens to development. The per bedroom measurement is inconsistent with parking standards for all other residential uses, and could result in a wide range of parking outcomes. For a smaller project with one-bedrooms, the standard would reduce parking to only 3 total spaces for four units, but a quad with three-bedroom units could be required to have 2.25 spaces per unit, greater than the single-family dwelling parking requirement. The rational for limiting this standard to 4-5 unit projects, and excluding triplexes, is not clear. An alternative parking standard for smaller multifamily projects, aligned with any
new use categories created for these projects, is recommended to support feasibility of these smaller projects, at a ratio as low as one space per unit, but no higher than the multifamily standards.

- Standards include credits to reduce off-street parking for additional bicycle parking facilities (Section 4.6-120.I) and for on-street parking spaces (Section 4.6-110.F). The credit for parking reductions for residential uses in mixed-use development for sites located near transit in Section 4.6-125.G.3 could be clarified to include the exact reductions that can be earned, rather than defaulting to the Director’s discretion; it could also be expanded to apply to all multifamily development and not only mixed-use. Generally, the parking credits could be combined in a single location for ease of use.

- Multifamily bicycle parking standard of one long-term space per dwelling unit in Section 4.6-155 appears reasonable, with provisions for spaces to be located in garages or storage units in Section 4.6-150.A.6.
SPECIFIC DEVELOPMENT STANDARDS (Section 4.7)

**Duplexes (4.7-140):**

Duplexes are limited to corner lots in all residential zones; while this may have a policy purpose in the LDR zone, consider creating additional opportunities for mid-block duplexes in other zones. The provisions for duplex partitioning in Section D appear to provide an opportunity for separate ownership, but the intent and logistics, including minimum and maximum lot sizes and the feasibility of retrofitting existing duplexes to provide fire separation and separate utilities, are not entirely clear.

**Duplex and Attached Residential Design Standards (4.7-142):**

Generally, the design menu approach offers a clear and objective method for design standards. The majority of these menu options, however, lack definitions and minimum dimensions, which could create uncertainty or lead to undesirable design outcomes, such as inclusion of a single brick or tile to satisfy the materials variation item in Section B.13 rather than a minimum percentage of the façade. Additionally, the language in Section B that features should be “appropriate for the proposed building type and style,” is discretionary and adds little regulatory specificity.

**Mixed-Use Districts (4.7-180):**

No concerns noted; this section does not add any additional provisions affecting residential uses in mixed-use districts but rather redirects to MDR and HDR standards in Section 3.2-210.

**Residential Uses in Commercial Districts (4.7-210):**

See discussion above with Commercial Districts.

**Small Lot Residential District Development Standards (4.7-233):**

In addition to the SLR base zone requirements in Section 3.2-200, this section adds a requirement for variety of housing types within SLR developments. The standard appears clear and objective, but it could be strengthened by adding required minimum percentages of the various housing types used to ensure sufficient variety. See additional discussion of SLR zone in response to Section 3.2-205 above.
DEVELOPMENT REVIEW PROCESS (Chapter 5)

Pre-Development Meetings (5.1-120):
Pre-submittal meetings, required in advance of site plan review and subdivision applications, intend to support early dialogue about development projects to improve development efficiencies and avoid last-minute design problems and expensive revisions. However, the balance between upfront investment in developing detailed plans for the pre-submittal and costs of addressing issues later in the process emerged as a key issue among staff and TAC, and should continue to be explored. There may be opportunities to reduce barriers to development by streamlining application requirements for pre-submittal meetings, or using other tools like development issues meetings to review ideas at a more conceptual level prior to investing time in developing plans.

Accessory Dwelling Units (5.5-100):
This section establishes development standards for ADUs and requires a Type I review process for most ADUs.

♦ The city’s acknowledged requirements for two accessory dwelling units on medium-sized lots in the MDR and HDR zones, and the prohibition on ADUs for larger lots in those zones is intended to meet the minimum density standards for those zones. DLCD’s guidance on implementing SB 1051, which supports permitting ADUs with all detached single-family dwellings in residential zones, does not take into account density standards. The standards could be revised to permit ADUs with all existing single-family detached dwellings in the MDR and HDR zones, regardless of lot size.

♦ The standards avoid several “poison pill” restrictions that should remove barriers to development; notably they allow a Type I review, do not require owner occupancy, and have a variety of ways to meet the parking requirement that could include on-street parking. The standards could be further strengthened to support ADU development by removing the parking requirement entirely.

♦ The design options in Section 5.5-130 include a clear and objective option, which appears reasonable. The exterior wall offset requirement in Section B.6 is unusual, and may not be commonly applied based on the typically small scale of ADUs.

♦ While these standards do address the applicable review process and are organized with the review standards, the majority are development standards for ADUs that could be better located in Section 4.7 or even the residential zone standards in Section 3.2.
Land Division (5.12-100):

Because land division is required to create lots for residential development, a clear and objective review path must be available. The most significant issue in this section is the approval criteria for tentative plat in Section 5.12-125, which could be improved for greater clarity and effective review of proposed projects.

♦ Criteria A: No concerns about requirement to meet minimum lot sizes and dimensions. Conformance with density standards should also be required.

♦ Criteria B: Requirement for zoning to conform with applicable plans does not seem useful; zoning conformity should be addressed through a separate map amendment process prior to land division.

♦ Criteria C: Requirement for adequate infrastructure capacity to serve the development, as determined by the Public Works Director, could be more specific and detailed. Consider replacing with references to specific infrastructure capacity standards.

♦ Criteria D: Requirement for compliance with design and construction standards could be improved through a more detailed list of applicable standards elsewhere in code and outside of code; additional review of said standards should also evaluate whether improvement requirements themselves are clear and objective.

♦ Criteria E: Requirement to protect significant natural features could benefit from greater clarity. While some features reference specific SDC sections or ORS citations, other features that do not appear to be defined in the code, such as “significant clusters of trees” and “rock outcroppings.” Greater clarity is needed on the specific features protected and which code standards must be met to demonstrate protection.

♦ Criteria F: All of circulation standards in this criterion could benefit from additional clarification, either here in the criteria or through references to traffic and circulation standards elsewhere in the code. For example, the requirement to “facilitate vehicular traffic, bicycle and pedestrian safety to avoid congestion,” does not clearly define “congestion” and would be better served by a reference to adopted level-of-service standards or similar objective standards.

♦ Criteria G: Criterion to allow development of the remainder of the property would benefit from additional clarification about specific goals and standards at issue.

♦ Criteria H: Criterion to allow development of adjacent properties, including providing adequate access, would benefit from additional clarification about specific goals and standards at issue.

♦ Criteria I: No significant concerns about the requirement for subdivisions within the urbanizable fringe outside city limits. Potential to cross-reference standards for the Urbanizable Fringe Overlay District in Section 3.3-800.

♦ Criteria J: No significant concerns about standards for manufactured dwelling park subdivisions, though additional discussion around the needs of existing parks would be helpful to understand any potential barriers to development.
Master Plans (5.13-100):

The two-stage master plan process can be used as an alternative to the subdivision process for projects larger than five acres, multi-year phased projects, and/or projects with a mix of uses. Master planning or planned unit developments (PUDs) are typically used as a discretionary alternative to subdivisions to allow greater flexibility and departures from base zoning. As an alternative to subdivision processes, master plans or PUDs are typically exempt from complying with clear and objective review requirements, and are generally recommended as a “relief valve” for unusual projects; some cities review the majority of residential development as PUDs. The existing master plan standards are not specific to residential development, and include several provisions that may limit the utility of master plans as a meaningful alternative to subdivisions:

♦ The requirement for sequential, rather than concurrent processing of master plan and subdivision applications in Section 5.13-116.C creates a four-stage review process that likely adds significant cost and delay to the review process. Currently, the standards would require a preliminary master plan, final master plan, tentative subdivision plan, and final subdivision plat as four separate applications. Common practice for greater efficiency is to allow concurrent review of the preliminary master plan and tentative subdivision plan, followed by concurrent review of the final master plan and final plat to reduce the process to two separate applications.

♦ The requirement for master plans to meet all zoning district standards as an approval criteria in Section 5.13-125.B is unusual, in that master plans and PUDs are typically used as a way to vary base zone standards for greater flexibility. Consider developing master plan standards that allow applicants to propose alternative development standards to vary base zone standards.

Site Plan Review (5.17-100):

Because Site Plan Review is required for all multi-family development in residential, commercial and mixed-use districts, a clear and objective review path must be available. There are several concerns about the existing process.

♦ Review (5.17-110): In line with comments to consider a Type I review process for multi-family development electing to meet strictly clear and objective standards in Section 3.2-240.C, the current requirement in Section 5.17-110.B for a Type II could be expanded to allow a Type I review. Application of clear and objective standards could be done without using discretion, thus avoiding triggering a Type II review.

♦ Submittal Requirements (5.17-120): The application requirements for site plan review include multiple specialized plans that must be prepared by professionals, including lighting, landscaping and stormwater plans, which is typical of the development review process in Springfield and elsewhere. There may be opportunities to reduce barriers to development by aligning the level of detail in these materials with the level required to determine compliance with standards, while deferring more detailed plans to later design and construction stages.

♦ Approval criteria (5.17-125): The approval criteria cause the most significant concerns about the opportunity for clear and objective review of residential projects, because they incorporate discretion. Note that many overlap with the tentative plat approval criteria.
• Criteria A: Requirement for zoning to conform with applicable plans does not seem useful; zoning conformity should be addressed through a separate map amendment process prior to land division.

• Criteria B: Requirement for adequate infrastructure capacity to serve the development, as determined by the Public Works Director, is an inherently discretionary criterion. Consider replacing with references to specific infrastructure capacity standards.

• Criteria C: Requirement for compliance with design and construction standards could be improved through a more detailed list of applicable standards elsewhere in code and outside of code; additional review of said standards should also evaluate whether improvement requirements themselves are clear and objectives.

• Criteria D: All of circulation standards in this criterion could benefit from additional clarification, either here in the criteria or through references to traffic and circulation standards elsewhere in the code.

• Criteria E: Requirement to protect significant natural features could benefit from greater clarity. While some features reference specific code sections or ORS citations, other features that do not appear to be defined in the code, such as “significant clusters of trees” and “rock outcroppings.” Greater clarity is needed on the specific features protected and which code standards must be met to demonstrate protection.

♦ Conditions (5.17-130): This section includes a lengthy list of discretionary requirements, seemingly over and above the standards elsewhere in the code. For example, the blanket requirement for a sight-obscuring fence and/or vegetative screen to address a “land use conflict” as determined by the Director could be addressed through clear and objective screening requirements between zoning districts or for specific use types where conflicts could be anticipated. There is an attempt to avoid conflicts with the clear and objective standards requirement by stating, “Conditions imposed to satisfy the Site Plan application approval criteria shall not be used to exclude “needed housing” as defined in OAR 660-08-015,” but the language does not entirely exempt residential projects from compliance with this section, or define when the conditions cross into excluding residential projects.
CODE ORGANIZATIONAL & OVERARCHING ISSUES

The audit identified several organizational and overarching issues within the development code.

1. The “EXCEPTION” language, used extensively in the existing code, could be rewritten to integrate into the text of the standard itself, calling less attention to the exception with more focus on the standard. Generally, offering exceptions to standards, even if they incorporate discretionary language, do not run afoul of state requirements for clear and objective standards provided that there is a clear standard as the base requirement. For example, a standard may require 15% window coverage on the front façade, with the exception that an alternative glazing pattern may be approved if it provides a similar level of visual connection between the street and buildings. In addition, exceptions should specify how the alternative proposal should be reviewed, through something like an adjustment process or site plan review, rather than simply delegating authority to the Director.

2. Generally, code standards that grant authority to the Director to approve an alternative design should be rewritten to specify when and how an alternative design can be approved, ideally referencing an established land use process such as an adjustment. For example, allowing three different materials for fences or “an alternative that equally meets privacy needs as approved by the Director,” provides too much discretion to the Director and not enough certainty for code users. The requirement for clear and objective standards can be met by listing the three approved materials, and flexibility can then be provided by offering an alternative review path.

3. Organization of special residential development standards could be improved for greater clarity and ease of use. For example, just as the multi-unit design standards are integrated into the residential zone sections, the ADU design and development standards could be integrated into the residential zone sections. Many of the specific development standards in Section 4.7-100 that apply to residential uses, such as duplexes, could also be integrated into the residential standards.
4. A common density metric should be used throughout the code for uniform application and easier comparison across districts, in place of the existing standards that reference both units per gross acre and units per net acre. For example, density in the MUR district is reported as units per gross acre in Section 3.2-630, and as units per net acre in Section 3.2-205.C and D for the MDR and HDR zones. Both net density and gross density are defined in Section 6.1-110 and should be used consistently throughout the code.

5. Some residential compatibility standards are applicable when there are nearby single-family detached residences, and other times standards apply for sites adjacent to the property zoned LDR or other residential zones. Recommended approach is to consistently use adjacency to LDR zone (or other desired zones) as the applicability trigger for additional standards, rather than the development type on a specific lot which can be inconsistent with the current zoning and purpose.
ADDITIONAL AUDIT FINDINGS

The code audit process also identified related findings about the application of the code standards through the development review process. Though beyond the scope of this audit to fully address, the following additional findings are incorporated to provide broader context of how development works “in real life” when applied to proposed development. Broader issues discussed included:

- Finding the right amount of information to require at each step in the review process is a difficult balance, particularly for technical and expensive-to-produce reports such as stormwater engineering reports. The pre-submittal application is perceived to require a significant amount of detailed information, which may create a barrier for developers, particularly non-profit ones, to begin the process. However, waiting to develop technical reports until late in the land use review process may uncover “fatal flaws” in the project after significant time and money have been invested.

- Infrastructure improvement requirements can be difficult to enforce on some individual projects, even when standards are clearly written. This can lead to “kicking the can down the road” as improvements are deferred for individual projects, particularly smaller projects, resulting in significant future improvement needs with limited funding or design options.

- System Development Charges (SDCs) assessed on residential development include both fees set by the City and fees set by special districts; SDCs are often publicly perceived as a barrier to development but are necessary to fund infrastructure expansion to serve new development. In Springfield, the Willamalane Parks and Recreation District SDCs in particular are perceived as high by many developers. There is a disconnect between the district, which sets fees, and the City, which collects the fees and thus hears much of the negative feedback.
The housing code audit is part of the City’s overall Development Code Update Project, consisting of multiple tasks over the next three years to update the entire Development Code. The City’s overall project schedule includes several tasks to guide development of updated residential standards, including and building upon the findings of this audit:

- Task 5: Conduct Audit of Housing Code Sections (December 2018 to June 2019). This audit completes this initial task.
- Task 6: Draft Housing Code Sections (April to December 2019)
- Task 7: Public Outreach for Housing Code Sections (January to March 2020)
- Task 8: Adoption Process for Housing Code Sections (April to December 2020)

Multiple notices, workshops and hearings will be necessary during the adoption process in Task 8 to ensure thorough review of the proposed standards. A recommended review timeline, to comply with all City and state notice requirements, is provided on the next page; actual dates will be finalized as the adoption task is getting underway.
♦ Planning Commission Work Sessions: May 5, May 19, June 2 and June 16, 2020

*Four to six work sessions anticipated, additional sessions may be added as needed.*

♦ Measure 56 notice: Between May 28 to June 17, 2020

*Must be provided 20-40 days before the first Planning Commission hearing.*

♦ DLCD Notice: June 1, 2020

*Must be submitted 35 days before first Planning Commission hearing.*

♦ Newspaper Public Notice: Published by June 23, 2020

*Must be published 14 days before the first Planning Commission hearing.*

♦ Planning Commission Public Hearings: July 7 and 21, 2020

*Planning Commission and City Council are on recess in August.*

♦ City Council Work Sessions: September 14, September 28, October 12 and October 26, 2020

*Four to six work sessions anticipated, additional sessions may be added as needed.*

♦ Newspaper Public Notice: published by October 19, 2020

*Must be published 14 days before the first City Council hearing.*

♦ City Council Public Hearing and first Ordinance reading: November 2, 2020

♦ Second Ordinance reading and adoption: November 16, 2020

**Effective Date:**

December 16, 2020
SPRINGFIELD DEVELOPMENT CODE UPDATE PROJECT

PURPOSE
The Purpose of the Development Code Update Project is to change the Springfield Development Code to support efficient, timely, and clear development review. The updated Development Code will support Springfield’s economic development priorities and will honor Springfield’s home town feel now and in the future.

OBJECTIVES
The Project objectives are to:
1. Enable quick review of development applications.
2. Provide easy to understand code language presented in a clear and user-friendly format.
3. Provide a straight-forward processing path to development decisions.
4. Support/further economic development in all sectors.
5. Protect and enhance the beauty of our city to boost or stabilize property values, encourage investment, and improve the image of the community.
6. Comply with mandatory regulatory requirements.
7. Implement the City’s adopted policies.

KEY MESSAGES
- The City of Springfield is committed to:
  o Reducing development barriers to allow for efficient utilization of the available land supply inside the Urban Growth Boundary.
  o Encouraging and facilitating development of more attached and clustered single-family housing in the low density and medium density residential zones.
  o Providing a variety of housing options for all income levels in both existing neighborhoods and new residential areas.
  o Enhancing the quality and affordability of new development within existing neighborhoods and of multi-family housing.
  o Promoting compact, orderly, and efficient urban development.
  o Making development decisions predictable, fair, and cost-effective.
  o Promoting efficient and economical patterns of mixed land uses and development densities.
  o Broadening, improving, and diversifying the Springfield economy.
  o Maintaining or enhancing environmental qualities and Springfield’s natural heritage.

There will be multiple ways and opportunities for the Springfield community to receive project information and provide input on the project.

Project Manager: Mark Rust, Senior Planner – 541-726-3654, email: mrust@springfield-or.gov

The City of Springfield Planning Commission met in a regular session in the City Council Chambers, 225 Fifth Street, Springfield, Oregon, on Tuesday, May 21, 2019 at 7:00 p.m., with Commissioner Koivula presiding.

ATTENDANCE

Present were Chair Koivula, Vice Chair Sherwood, Commissioners Vohs, Landen, Bergen, Gill and McGinley. Also present were Comprehensive Planning Manager Sandy Belson, Assistant City Attorney Kristina Kraaz, Administrative Specialist Shannon Morris and members of the staff.

ABSENT

None

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Vice Chair Sherwood

ADJUSTMENTS TO THE REGULAR SESSION AGENDA

• None

APPROVAL OF MINUTES

• Commissioner Bergen noticed misspelling of her last name; Commissioner Koivula noticed misspelling of Commissioner Landen’s name.
• Commissioner Bergen motioned to approve the minutes.
• Commission Landen seconded.
• All in favor.

BUSINESS FROM THE AUDIENCE

• None

QUASI-JUDICIAL PUBLIC HEARING

• CONTINUED FROM MAY 7, 2019
  3522 Game Farm Rd. 17-03-15-40 TL 03100 Urban Transition LLC
  Staff: Andy Limbird

STAFF EXPLANATION OF QUASI-JUDICIAL HEARING PROCESS (ORS. 197.763)

• Assistant City Attorney Kristina Kraaz read the Explanation of Quasi-Judicial Hearing.

The hearing tonight is a continuation of a prior Public Hearing and it is a quasi-judicial hearing. The applicant has the burden of proof to show all the applicable approval criteria have been met. The criteria are posted on the wall behind the Planning Commission, outlined in the staff report and located in the Springfield Development Code in section 5.3-135 for the Metro Plan Amendment, Section 5.6-115A for a refinement plan amendment, and section 5.22-115 for a Zoning Map amendment.
PLEASE PAY ATTENTION TO THE FOLLOWING INFORMATION ABOUT YOUR RIGHTS IN THIS PUBLIC HEARING PROCESS:

- Testimony, arguments and evidence must be directed toward the criteria of approval that I just listed, or other criteria that you believe apply to the decision. If you believe that other criteria apply to the decision, please specify what the criteria are.
- If you raise an issue, the issue must be accompanied by statements or evidence that is sufficient to give the Planning Commission and the parties an opportunity to respond to the issue. If you fail to provide sufficient statements or evidence to the Planning Commission and to the City Council in the next phase of this process, you may be prohibited from raising those issues on appeal before the Oregon Land Use Board of Appeals.
- If you are the applicant, you must raise concerns regarding any proposed conditions of approval to preserve your right to appeal and/or to seek damages in Circuit Court. If you fail to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow the Planning Commission and Council to respond to the issues, you will be precluded from seeking damages in Circuit Court.

For members of the public, if you would like to testify this evening, please pay attention to the following procedures. This hearing is being recorded on tape.

- First, please fill out a request to speak card located on the side table and give that card to the Planning Assistant.
- When you are called up to speak, please testify from the podium to my left (not from the citizen’s seats).
- Begin your testimony by stating your name and address for the record.
- Finally, if you want a copy of the City Council’s final decision, please provide your name and address to the Planning Commission Assistant.

The Planning Commission record will be forwarded to the City Council. The Planning Commission record includes the application and any supporting information, the staff report, documentary evidence and written testimony provided to Senior Planner Andy Limbird from the beginning of this procedure through tonight’s hearing, and all testimony and documentary evidence submitted to the Planning Commission during tonight’s hearing, as well as the testimony from the prior part of this Hearing on May 7th.

If you want an item entered into the record, please present that item to the Planning Commission assistant, orally or in writing. If there is any question in your mind whether any material is in the record, make a point of asking that it be accepted into the record.

This is a continuation of a prior Public Hearing, you may request that the record be held open or the Public Hearing be continued but those requests are discretionary with the Planning Commission.

Last, Oregon land use law requires that the Planning Commission act as an impartial decision-maker. Planning Commissioners must disclose any ex parte contacts or conflicts of interest related to this matter, and must allow any person to challenge the Planning Commission for bias.

- A conflict of interest is a situation in which the decision maker, his or her family, or their business would benefit or suffer by the decision-maker’s choice.
- An ex parte contact is a communication to the decision maker that includes substantive issues regarding the application and occurs outside the public venue.
- Bias is an actual personal interest in the outcome of the decision, or a prejudgment by the decision-maker as to the outcome without regard to evidence and argument submitted to the decision-maker.

Chair Koivula, you may now continue the public hearing and declare ex parte contacts and conflicts of interest.
CHAIR OPENING OF THE PUBLIC HEARING PROCESS
- Chair Koivula Opened the Public Hearing

COMMISSION MEMBERS DECLARATION OF POTENTIAL CONFLICTS OF INTEREST, DISCLOSURE OF EX-PARTE CONTACT OR BIAS
- Commissioner Bergen, as previously stated, said she is a realtor but does not have any conflict of interest with this case.
- Commissioner Koivula asked if there is anyone who wishes to challenge the Planning Commission for bias. Heard none.

TESTIMONY FROM THE APPLICANT
Richard Boyles, Urban Transitions, LLC; 840 Beltline Road, Suite 202; Springfield, Oregon 97477.
No testimony.

QUESTIONS FROM THE COMMISSION
- None

TESTIMONY FROM THOSE IN SUPPORT
- None

TESTIMONY OF THOSE NEUTRAL
- None.

TESTIMONY OF THOSE OPPOSED
- Kristin O’Driscoll, 3530 E. Game Farm Rd. Space 18, Springfield; Stated she has had two weeks to consider what the owner’s consultant had to say about the rezoning application as well as what members of the public had to say. There’s one thing that hasn’t been clearly pointed out yet. The owner’s consultant says that the loss of the low density residential park can be made up for by the presence of other low density acreage elsewhere within the City limits. That may be true and it may look good on paper, and it may look like a reasonable trade but it misses the entire point. Low density residential zoning is not the same as existing affordable housing. If the owner’s rezoning application is approved, yes the city will lose 13.6 acres of low density residential acreage at this location, but more importantly the city will lose 13.6 acres of existing affordable housing in a long standing community that can never be replaced. Once it’s gone, by definition, it’s gone. Two weeks ago a housing expert who’s spoken before Congress on housing issues spoke here at the Planning Commission Public Hearing about the long waiting lists that exist for all low income housing in the State. Eliminating our existing affordable housing at the Patrician Mobile Home Park will guarantee displacement of 130+ current residents when the park is closed. We know the park will be closed - we just don’t know when - if the rezoning application is approved. It will also guarantee additional stress on City resources designed to help the low income community. What City tax dollars will be used to assist residents who are stuck on waiting lists when the park closes? Or how will you provide welfare assistance to residents who can no longer make ends meet in the more expensive “affordable” housing outside of our park? Beyond that, how will you assist with medical expenses? Stress is one of the things that cause medical problems which are developing because of very stressed out residents. There are downstream impacts that will directly affect city purse strings. Implore you to look beyond the immediate request for rezoning and see the long term negative effects on both the residents and the City and if the City determines that the additional tax revenue can’t be resisted we really hope you can intercede and help negotiate a fair settlement for our residents.

- Joe Bando, 2586 Grand Vista Dr., Springfield; He stated that his residence is fairly close to the Gateway area. When he drives to the Post Office, it’s not an easy drive because the traffic in Gateway is at an all-time full rate now. He also owns a mobile home park that houses 98 mobile homes, 186 people live there. The park
is completely full and there are people on a waiting list to get in to the park. If these people lose their home, there is no room at the inn anyplace. There’s no affordable land to build a mobile home park in spite that they said that there is affordable land someplace. It would be a crying shame to put these people on the street. He is offended by what is happening. He watched the forefathers on this Planning Commission a decade ago use that as a buffer zone for low density residential, and we are here a decade later with the same thing on the agenda. He hopes that it is ruled in favor of these residents and keeps the mobile home park open.

- **Susan Stoltenborg, 3530 E. Game Farm Rd. Space 2, Springfield:** She stated she supports everything the other two speakers have said. She and her daughter moved into the park in October of 2018 after signing a 20 year mortgage. About 6 months later the letter arrived about the rezoning. This is a situation that is happening across the nation. She encouraged everyone to Google Ted Talk Mobile Homes, Esther Sullivan; sociologist gives a 15 minute 101 about how corporations across the nation are buying up mobile homes thereby eliminating affordable housing. Affordable housing is at the crux of this, it is crisis. Mobile home is a misnomer. It is a manufactured home that is transported and installed and like any other home, settles. It is not an RV or camper. Mobile homes have historically provided affordable housing for families with children to adult communities. Owning your own home brings stability. Bringing it back to Springfield; how is it possible that while affordable housing is addressed in the Springfield 2030 Plan, the rezoning and inevitable redevelopment of the Patrician will uproot 130 seniors that will go where? Is that how affordable housing is addressed, by taking it away? She can’t imagine where everyone will go. The impact, as was mentioned, on their mental and physical health, losing social supports and impact on social services. Can you imagine how it will feel to turn your back and walk away, abandoning your home? City of Springfield, if this rezoning and redevelopment is allowed to move forward, shame on you for turning your back on this vulnerable population.

- **Rev. Ron Meyers, 3530 E. Game Farm Rd. Space 23, Springfield.** Submitted written document. Stated he submitted many emails to people all over the state of Oregon and it was put in the staff report, he requested that letter to be removed. He offered historical levity to this application. We all know God created the Garden of Eden. Scripture says it was a walled in community with a gate at the east end. Nobody knows how long these ancient ancestors lived there, or lived in bliss. What we know is the snake arrived to convince the residents they would be fine and would be better off when a hotel/conference center came in to the park. The ease with which they lived was relocated and they were relocated with much difficulty. They were grandparents, as many of us are and they were great grandparents. The devil is always in the details. The posted City of Springfield Planning video on YouTube from your site indicates the Planning Commission and the City Council have proposed to streamline and make the Planning Commission rules more understandable. He found it interesting that in many video presentations the City of Springfield indicates they are all about maintaining low income housing, affordable housing and low density residential. This application smacks of collusion. He has done a lot of research, and finds there is ancient history concerning the intention of the City to somehow add this lovely place into their crown jewel. He is asking, don’t take away our first right of refusal that was put in the law to protect people from rabid developers and that is what you are doing if you approve this.

- **Jo Manning, 3530 E Game Farm Rd. Space 29, Springfield:** She stated that she and her husband chose Patrician because they needed a yard for dogs, even though it was in a 55+ park. There’s more of the story about how they were honesty not aware of the intentions of the owner/developer to end all of this, but she only has three minutes. You’ve heard stories from some of the residents anxious about losing their homes. She shared stories about her neighbors. Planners, if you are leaning toward recommending the rezoning, consider adding conditions. Management has not been communicating with them and they’re scared. If the rezone is favored by the Planning Commission they would like the following three conditions: 1) to know when the park will be closed beyond the 365 day notice, to be able to plan ahead. More information could allow them to sell their homes if the timeline was respectable. They’d be able to get some return on their investment and sell with full disclosure if they knew when the park would close. 2) They would like the
owner/developer to give fair compensation. Six to 15 thousand dollars is not going to help those who paid $30-50 thousand for their homes. They would like park management to stop raising lot rent every year so residents can save up for moving costs if the rezoning is passed. 3) Please reexamine the traffic problems the rezoning would create. Traffic studies do not reflect the current and future traffic flow on East Game Farm road. How will emergency vehicles get in and out to the memory center, assisted living center, to the hospital a few blocks away with the mixed use intention? Thank you in advance for your objective review, our fate is in your hands.

- **Paul Willmore, 3530 E. Game Farm Rd. Space 33, Springfield:** He and his wife moved to the park due to changing medical and financial needs. Purchased an affordable home with the intention of remodel and fixing it up. It was a challenge to find affordable housing. When they drove through the park it was obvious to them how well the residents take care of and have pride in their homes. Yards are kept and homes are maintained. Roads and common areas are clean and managed. The park community is close and they share many activities. Rezoning and the possible new development will only lead to displacing many vulnerable elderly. Keeping the zoning as it is will continue to allow future residents like him to afford affordable housing. They moved in eight months ago and invested a sizeable amount of money in their home and now they are looking at having possibly no market value on this house and even eviction when it comes down to it. It is discouraging. The park is unique and it says something to community of Springfield. He would like to see it continue.

- **Erica Willmore, 3530 E. Game Farm Rd. Space 33, Springfield:** Her husband just spoke. They actually moved in about six months ago after looking for a home that would be affordable as her health is declining. They asked management directly what outlook of the future of the park was. They were assured enough to not only purchase the home but to remodel extensively to bring it up to current standards. They have reroofed, put in new floors, windows, kitchen, two bathrooms, lighting, electrical, plumbing, water heater, etc. They also moved a wall to accommodate future disability. The Patrician is conveniently located near shopping and other services, as well as the bus depot at Gateway. It seems to her the City of Springfield has spent a lot of time, effort and money to provide a place for Springfield residents to enjoy and access those services. However as new development keeps infilling those same residents are being pushed farther and farther away from those conveniences. Many of us will have nowhere to go if not fairly compensated for their homes. She doesn’t think anyone there is fooled into thinking there are no current plans to develop the property. It is obvious by the presentation materials being referred to by both Urban Transitions representatives and the City of Springfield’s traffic study a great deal of money has already been spent on this project. It was disconcerting to have surveyors in the park recently. She realizes Urban Transitions is a business, not a charity, but please do not ignore community needs for the citizens of Springfield. She is not sure what she and her husband will do when they receive notice of closure. They have already invested all they can into a home for their future. No manufactured home parks are taking used mobile homes, so moving them is not an option. On a side note, she will really miss the bald eagles that are nesting in the area.

- **Laurie Hauber, 376 E. 11th Ave., Eugene 97401:** She is a resident of Eugene and a staff attorney at Lane County Legal Aid. What precipitated this, several weeks ago, residents in the park reached out to people all over the state. Several people reached out to her and to John Van Ladingham, one of the State’s preeminent affordable housing attorneys, who has been practicing in that area for 40 years. In response to the inquiries they both went to the park and spoke to residents about this issue because people have a lot of questions. In listening to what they have to say, which is gut wrenching to hear how this is going to impact people’s lives, she was curious and began to look at Goal 10, the Metro Plan, Springfield’s 2030 Comprehensive Plan, the Gateway Refinement Plan, trying to make sense of all the pieces. Without going into details, what struck her is the need to balance, as the Metro Plan states, on a case by case basis, what aspects of the proposed amendments are consistent with Goal 10 and with the plans, and also what is inconsistent. As we’ve heard, there are inconsistencies with policies set forth in the plans that all fall under Goal 10 which provides that framework for those policies. Things like preserving affordable housing. Obviously this will have the
opposite impact; it will eliminate housing for 79 households. Encouraging home ownership at all income levels. As people have said, many if not most people in the park are lower income. She doesn’t have the exact AMIs but we can assume 30-50 % AMI is where most residents fall. The only viable home ownership opportunity for residents at those income levels is a manufactured home in a manufactured home park, based on the data in the housing needs analysis from 2011. This eliminates a home ownership opportunity. Another policy is minimizing displacement. She urges you to balance all of these policies and procedures.

- **Peter Hainley, 20508 SW Roy Rogers Rd., Suite 155 Sherwood, Oregon 97140**, Executive Director at CASA of Oregon/Community and Shelter Assistance Corporation. CASA was mentioned at the last hearing as an organization that works with residents in manufactured home parks to convert them to resident ownership. He’s going to enter a couple pieces into the record that talk about the work CASA does and the parks that have been converted throughout the state. For the last 12 years he has been doing this work. CASA got involved in this work during the during the spate of closures that happened in 2006-2009 when thousands of folks were kicked to the curb and had to basically go find new affordable housing options. A lot of those resulted in early deaths and folks being totally displaced from their communities because they had to be moved far away. He thinks you need to consider the impacts that will happen if this park closes. Another thing he’d like to comment on is a testimony from the last packet. There was neutral testimony related to the toolkit that the City formed. CASA provided some information for that toolkit and participated in a meeting that happened in September of last year where the findings to date of that toolkit was presented. The toolkit was designed to help cities in the event of a closure of a park. As he listened to the City staff and the Mayor talk about the outreach they had done, he was struck that the outreach was only to the owners and never engaged the residents. He thought that was interesting, making policy and solution without talking to people most impacted by the solution. He finds that to be reprehensible. How could you make a decision on behalf of other people, move them to some undetermined park? It doesn’t square with how we should be operating. If we are going to look at highest and best use, we should consider the folks that are living there and consider that perhaps their homes and their lives are the best use for this.

- **Shaw Radine, 1790 Alder Street, Eugene 97401,** the first issue he wanted to bring forth is in the staff report on page 10 under Finding 20. This reads “the proposed Metro Plan diagram amendment will retain the existing surplus of low density residential buildable land within the UGB of Springfield which allows development of manufactured home dwelling units.” While this gives you the idea that there is land for manufactured homes in Springfield, this is a little misleading because while this is true they are permitted in low density residential areas, very few of the homes in the Patrician qualify or are defined as manufactured home dwelling units. In fact, they are classified by the City as mobile homes because most of them were constructed before 1976. Therefore, even though there is land available for manufactured homes, these homes could not be moved. Even if they could be moved, as you’ve heard already, there are no vacancies for homes to go into these parks. He’d like to reiterate that Goal 10, the statewide planning goal, states “Municipalities shall encourage the availability of adequate numbers of needed housing units at prices ranges and rent levels which are commensurate with the financial capabilities of Oregon households and allow for flexibility of housing location, type and density.” Similar language is put forth in the Metro Plan and on page 12 of the Gateway Refinement Plan it reads that “a diversity of sound affordable housing in the neighborhood is a goal.” So he asked, does Springfield have adequate numbers of housing units at price ranges that are commensurate with the financial capabilities of the Patrician residents? Also, does Springfield have flexibility of housing location, type and density for residents with the same financial capabilities of those Patrician residents? His sense is that the answer to both of these is “no”, so why does it make sense to remove naturally occurring affordable housing from the City’s inventory? If the land is redeveloped, we lose the existing housing stock and this runs contrary to Goal 10 and plans developed by the City. What do the plans do if they can’t be carried out? While the development elicits visions of thriving economic developments, this is pure speculation. It is also speculation that a new development would include any trace of affordable housing. What is certain, however, is the park currently provides safe affordable housing for 131 seniors. The zoning
change would be the first step in doing away with this crucial source of affordable housing which is why he encourages the Commission to vote against the zoning amendment.

- **Elise Weldon, 1559 Walnut St., Eugene 97403:** She first learned about this about a month ago. Her friend Susan sent an email telling her this was happening, she was appalled. She also has another good friend, Teresa Bishow, representing the owner. She didn’t know that until she came to the hearing on May 7th. She stated she thinks there is development and there’s development. There are ways to do development wisely and compassionately and ways to do it less wisely and less compassionately. Rezoning this property into Mixed Use Density is the latter. We heard from a gentleman that spoke about the mobile home park he owns in Springfield and had owned many in the area and how he cannot understand why the present owner of the Patrician isn’t happy with what he’s got; he makes good profits and has a reasonable living, why does he have to be so greedy. Her take also is that developers like to develop, it’s their right. But why does it have to be on the backs of our most vulnerable citizens? This is a community that is largely elderly, many are disabled. If they have to move they are not going to be compensated for these houses and mortgages they have invested in. These are their nest eggs. They don’t have the kind of buffer and backdrop or net to catch them. That is a really important consideration in your decision on how to go forward with this. We hear on the news how the wealth gap is getting greater and greater in our nation and across the globe. You as individuals and we as individuals can do something about that right now. This is your opportunity to do some good for the City of Springfield and not lose a community that works well together and provides good low income housing. It is basically an assisted living community in some ways. She and her husband listened to all the testimony from residents and were devastated. She doesn’t think these people are devious, they are telling you how it is. The tactics of the property owner are reprehensible.

**SUMMATION BY STAFF**

- Andy Limbird stated, in your packets this evening, staff has summarized the themes that have been apparent in the testimony provided up to this point. He would suggest that those themes have been echoed this evening: concerns about loss of homes, the lack of opportunity as a fall back measure, no place to go within the community. These are fair statements because staff does not have an answer, nor does the applicant have an answer in their submittal as to how the residents would be accommodated should it be rezoned and the park closed at some point. Staff did provide to you the additional testimony that was provided up to this afternoon. There was also testimony provided this evening. Again, the themes have maintained consistency with the testimony that has been provided. Staff acknowledges some of the testimony this evening, and that it is a weighing of priorities. There is not a clear and distinct overriding policy in any of the comprehensive plans that win out. As the Metro Plan indicates, it is a weighing of the affordable housing and the housing stock in existing neighborhoods versus the opportunity for redevelopment in the City. At this point, staff’s recommendation would be to conclude the public hearing, begin deliberations and provide direction to staff as to where the commission is leaning on this matter. There is no expectation of a clear, unanimous decision or direction, based on differing viewpoints and differing backgrounds of commissioners. However staff would be receptive to any direction that’s provided. The final staff report based on the direction provided by the commission along with the recommendation for City Council will be brought back to you at the next regular meeting on June 4th. He would be happy to answer questions if you have any, resulting from either the staff report or any of the testimony that was submitted this evening.

**QUESTIONS FROM THE COMMISSION**

- None.

**REBUTTAL FROM THE APPLICANT**

- Teresa Bishow, here this evening with Bill Kloos, representing Urban Transitions, LLC, the property owner. She would like to begin by acknowledging a clear policy choice that you have. The choice is this: In the future, does the city want the land to be developed as a new single family subdivision or a mixed used area? It is not about affordable housing versus a conference center. We are doing a plan amendment and a rezone.
When the manufactured home park is redeveloped, does the City want to see new low density residential uses? That is a valid vision to have, and that would be the current zoning. Or do you prefer to see a mix of uses that will bring employment, stimulate the economy, perhaps support the hospitality industry, and provide a variety of housing options? The mixed use zone provides greater flexibility and more innovative, creative mixing of uses rather than the R-1 low density residential zone, which focuses on single family subdivision. Your decision, your recommendation to the City Council, and ultimately the Council’s decision is really a policy choice. It is about your own values and those who have come before you who have set forth the adopted plan policies. The City’s ultimate decision, whether to approve or deny, will not alter the property owner’s decision to redevelop within the next ten years. That is the reason Urban Transitions purchased the property in 2008, to redevelop it at some point in the future. The City’s decision on this proposed request of a plan amendment and rezone will influence heavily what future development occurs, but again it will not impact the timing of a park closure notice or the redevelopment of the property. In the staff report, as she independently and objectively looked at the application, prior to receiving public testimony, they provided a sound, legally defensible set of findings to approve the plan amendment and rezone. You definitely have the option to go a different direction but she would encourage you to think about the future, think broadly about all of the council goals and all of the plan policies. Again, the City’s approval of the plan designation and zone change and re zoning will not change the terms of existing rental agreements. Those terms were agreed upon between landlord and tenant regardless of zoning. Any decision whether to approve or deny the zone change request does not constitute a park closure notice which is mandated by the state and which the property owner has every intention of completely following. She wanted to acknowledge some of the extra stress the residents have experienced by seeing surveyors on the property. It was not their intention to time it so closely to the public hearing. In the application when it was submitted was a blank page for exhibit G, which she submitted today. Exhibit G is the survey map, recorded at Lane County, that simply surveys the property so that the record is clear which property is the subject of the rezone. In closing, she appreciates your time and all the energy and commitment the residents have put to make it a very livable, wonderful community and she thanks them for their testimony, but she does encourage you to vote yes.

QUESTIONS FROM THE COMMISSION
Commissioner Koivula asked for clarification, the next agenda item is possible questions to staff or public. Would that be from the Commission?

Kristina answered, correct. If the Commission has questions that would need to be answered during a public hearing, then that is the appropriate time to ask.

Commissioner Koivula had a question that relates to the testimony from Reverend Meyers. Apparently there was an email he was talking about. He’s not sure what it is, but wants to know if we have copies of it, can staff tell them about it?

Andy Limbird stated out of abundance of caution, staff included pretty much everything they could that was sent to them, regarding any activities associated with the Patrician. It was presumably in response to the notification that there was going to be a Public Hearing. If there were some informational items that are requested to be excluded from the record, staff will clarify that with Pastor Meyers and it will be removed from the record. Staff did not want to exclude anything accidentally that was otherwise intended to be included in the record. Pretty much everything up to this point has been included in the record. The only things that have been difficult to include are links to video and websites. The actual textual link is included but not the content of the website or the videos.

Kristina added that if the Commission wants to exclude that information from the record, we can follow up with the Reverend and determine what that piece of information is. If you make a decision at the next meeting, we could bring that to you to exclude from the record. You could put out there that it is information
that you are not considering in your decision. If you do consider it in your decision, then it would be part of the record element. She thinks he is asking that you not consider it.

Andy stated he believes he knows what the content is, and it is pertaining to some of the practices on the site, with the interactions between the residents and management. It wasn’t specific to this application.

Commissioner Koivula stated he was just confused about what was being discussed but if staff knows what it is, and is aware of it, he’s fine.

**CONSIDERATION OF REQUEST FOR CONTINUATION OF PUBLIC HEARING, EXTENSION OF WRITTEN RECORD, OR BOTH**

Commissioner Koivula asked, do we have any consideration or requests for continuation of the Public Hearing, the extension of the written record or both?

Ron Meyers asked if he can do that now.

Commissioner Koivula stated he believes a request can be made for continuation and that it can be considered.

Ron Meyers stated that it was his intention to ask for a continuation. As we continue to dive further, he is finding issues that he thinks legally need to be explored. So his request is to continue the Public Hearing.

Commissioner Koivula stated that will be at the approval of the Commission.

Susan Stoltenborg requested to accept written testimony as well.

Commissioner Landen asked if the hearing is held open, how long it will be held open.

Kristina stated that because the City Council’s process will follow this, the record remains open for their hearing and their procedure. They will have another public hearing that is completely de novo, which means it is not limited to issues raised before the Planning commission. Any issue can be raised whether or not it has been brought up to the Planning Commission. If you close the hearing and the record, anything submitted in writing will be forwarded to the City Council for their review. It is in your discretion whether you think it would prejudice someone’s rights not to present you more information than you’ve already heard in making your recommendation to the council. Or if you feel there is information you don’t have that you need.

Commissioner Koivula wanted to state to the public that the City Council hearing is scheduled for September 3rd. The Planning Commission and City Council go into summer recess. So the public will be able to present any information to the City Council who will actually make the decision. The public can also submit new evidence. Given that information, do either of you wish to withdraw your request?

Ron Meyers stated his answer is “no sir.”

Ms. Stoltenborg stated as long as anything can be submitted in writing to the City Council, she has withdrawn her request.

Commissioner Koivula asked the Commission for discussion.
Commissioner Landen asked if this is just a discussion on the continuation of the record. He stated he would be fine with that, a lot has been brought up that is worth the thought time although it is understood our purview is a little different than what the City Council is going to do.

Commissioner Koivula asked when the Commission recess is scheduled.

Sandy Belson stated that she believes the recess would start after the first week of July, with regular meetings in June and a special meeting on June 29th. Nothing would be added to the June 29th appeal meeting. The next regular meeting in June already has this item on the agenda, whether for hearing or deliberation and final decision. There is still space on the agenda. We would be able to fit this item onto another agenda, if needed. The question to consider is, will there be value in the decision you would make in giving the public an opportunity to provide more information; if there would be new evidence or information that you would find helpful to make your recommendation.

Commissioner Koivula asked if the remaining meeting agendas in June are full.

Sandy Belson stated we do have agenda items scheduled, but there is room on the agendas to add items if needed.

Commissioner Landen questioned how this impacts City Council’s schedule?

Sandy Belson responded that as long as the commission makes a decision before the end of July, there won’t be any impact on the Council. The hearing is scheduled with Council on September 3rd.

Commissioner Landen asked for clarification about rescheduling the hearing from June 3rd.

Sandy confirmed the hearing has been delayed.

Commissioner Landen stated he does not have any strong feelings about how long the hearing is continued, but one of the points that he feels was well made is that the property owner has a right to close the park no matter what the Commission says. He feels the real discussion is whether we commit to mixed use or leave it low density.

Sandy Belson agreed. The question about the hearing, whether you close the hearing or leave it open, is whether you wish to continue accepting evidence. You will not make a final decision tonight, so whether you need more time to absorb what has been submitted, which I would expect you would as we did get information submitted tonight. Andy is going to need some time to incorporate that and address that in the findings. You will have time to consider it. The question before you right now is whether you would want to continue taking evidence and testimony.

Commission Koivula stated, as just heard in the training session, we want to make sure our applicant has the ability to respond to any new evidence or any testimony given. Even if we decide to extend the public hearing, the written record, or both, will there still be time for the applicant to analyze everything and respond.

Sandy Belson replied yes.

Commissioner Koivula is in favor of extending only the written record. He stated he appreciates all the testimony given. He has heard a few new things in public testimony but feels if the written record is held open, they can continue to take people’s new ideas in this without having public testimony at another meeting which would require a period of reflection to be sure they have absorbed and responded to everything. If the written record were held open for a particular period of time then the commissioners, the staff and the
applicant can get the written responses, and analyze all those. He would support extension of the written record for another week, 2 weeks at the most. He asked if this would that be enough time to analyze and respond before our next meeting.

Kristina replied, if the record is held open at all there will not be enough time for deliberations at the next meeting.

Sandy stated the Commission can start deliberations at the next meeting, but not make a recommendation. We will need time to incorporate your rationale into the findings that you would ultimately approve. If we leave the record open for whether for seven or 14 days, you could begin deliberations based on the info you had. You would probably not have any further staff analysis but would be able to look at all the evidence you have and start deliberating amongst yourselves and weigh the policy decisions to be able to provide staff direction to prepare a final recommendation for your review and approval at the subsequent meeting.

Applicant Teresa Bishow stated that they respectfully request after you’ve closed the written record, for any community member, there be an additional seven days for applicant to rebut in writing.

Commissioner Sherwood stated that he is overall in agreement about leaving the written record open being helpful, only to a certain date. He thinks it would be good to give staff and applicant time to respond. He asked how long staff will want after the record closes.

Sandy stated they would like to hear direction from the Commission in terms of how to start preparing the decision.

Commissioner Koivula stated he is in favor in closing the public hearing and extending the written record for seven days.

Commissioner Landen moved to close public hearing and extend written record for an addition seven days for the public and then seven days additional for the applicant to rebut.

Commissioner Koivula stated motion from Commissioner Landen is to close the public hearing and extend the written record for seven days, and seven additional days for the applicant to rebut.

Commissioner Sherwood seconded.

Commissioner Bergen wanted to clarify the seven days is calendar days.

All in favor: 7 aye, 0 no, 0 absent.

Commissioner Landen stated that info from public that would be helpful would be in the direction of deciding whether to stay low density or change to mixed use.

Commissioner Koivula stated the public can input whatever they’d like but please keep the curse words out.

**DISCUSSION FROM THE PLANNING COMMISSION**

Commissioner Koivula has a number of items that he would like to bring up. This is the Commission’s opportunity to delve into some of the Planning Goals for the State and some of the plans for the City. A couple of different items in which one is still regarding the transportation, he did ask at the May 7th hearing about the traffic study and the reliance on future Transportation approval of projects by the City or ODOT and as he understands it, he thinks that some of the roads on the application don’t meet the State and City
standards at the present time for traffic jams. He is worried that if the applications are approved and the Development Code any kind of development goes ahead that the road projects are not completed, what would the impacts on traffic. He did not get an answer for this. He believes a reasonable assumption would be that it degrades transportation. Also under the amendment to the Gateway plan, there was an actual direct call for transportation, this is the amendment to the Gateway Plan or Ordinance 6109 which calls for transportation improvement to the open to travel by the motoring public at the time they are needed to support development. That does seem to be a good idea in general, but he’s not sure if he could get some information as to whether that is a requirement from the applicant.

Kristina added a little context for the Commission. At the time that decision that amendment was made it was on remand from the Land Use Board of Appeals, on a finding that the transportation planning rule at that time required those improvements on the day of opening. Since then the transportation planning rule has been amended and now requires the City to look at the traffic impacts at the end of the planning period. So there is they can follow up, an applicant is welcome to give rebuttal and we can give more information there. That is a little bit of a background of the intervening changes in State law from Ordinance 6109, was adopted which was to facilitate the RiverBend Hospital Master Plan Development.

Commissioner Koivula thanked Kristina for clearing up the concept in his mind. Regarding the State Land Use Goal 10, in agreement with some testimony, that there is language that said, “Housing shall be commiserating with financial capabilities. It defines that needed housing units as equitized price range and rent levels and includes manufactured homes whether occupied by owners or renters. It also states, that the housing elements with the comprehensive plan should have a minimum include a comparison of the distribution of the existing population by income, with the distribution of available housing units by cost. Vacancy rate is at varying ranges, an inventory of housing in urban area’s including units capable of he doesn’t believe that they have actually seen this type of it might be buried somewhere he cannot find it; he doesn’t believe he hasn’t seen it. It also says that, implementation of goal 10 also says that methods and devises to implement the goals, should after consideration of the impact of lower income households shall include discussion of zoning, land use controls etc. So he would like to get an interpretation on that, saying whether the consideration of impacts of low income households is a necessary precursor to any zoning changes. He also looked at the Gateway Refinement Plan, which has a number of things that are interesting and probably important to their decision, it says that development should take place while preserving local neighborhoods, it clearly shows as you look at the plan map that the Patricia Park shows up on the diagram as LDR and listed as part of what’s called the “Game Farm Single family Sub area, and calls repeatedly for preservation for existing housing and neighborhoods in area, maintain livability, development should be required to mitigate impacts, maintain Refinement Plans, high quality of life. Then it goes into Residential column, Gateway plan, closed for Residential development on remaining vacant land, and then it says there should be maintenance of approximate balances among LDR, MDR and HDR lands. Since the plan was introduced in 1992 he assumes there have been other zoning changes to the plan. Has the balance changed significantly between the LDR, MDR and HDR since 1992 and put an increase of a 13 acre re-zone to single-family would increase the imbalance and is there an analysis of the ratio’s and at what point is there a significant change in ratio making things not necessarily in compliance with gateway that’s a question.

Commissioner Koivula also wanted to touch on a discussion on density which is interesting. Seemingly the density that are requested in the greater detail, is seem as if the densities as they are existing in the Patrician are not only above the Gateway Plans required or desired density are actually about single family residential density as they are constructed today, so it’s something like 6.3 in its per acre in the Patrician and it looks like the latest figures for single family residential is like 5.8. There is another interesting discussion that’s buried in the Industrial Land Element of the Gateway Plan which again calls for minimizing conflict, but it between McKenzie Gateway SLI site which is all of the area north of the Patrician Park and other neighboring lands uses. He sees over and over again this minimize conflict language and it seems that
(Question again) a single-family residential area should that be considered an anomaly in an area of more intensive development or should intensive new development be made to revised, mitigated or denied, if it presented conflict, and is that a reasonable conclusion to all these statements that ask for mitigation preservation etc.

There is also a little bit of Open Space element in the Gateway Plan that talks about retention of existing trees, do we need a finding on whether there are [unintelligible]. He has heard stories about owls/eagles. Finally he looked at the Springfield 2030 Plan it calls for consideration for demographic characteristics, about income, age, etc. Question probably for the applicant, he’s heard testimony of residents from the Patrician Park describing themselves as very low income and mostly Senior’s but with also some disabled people. Has there been a survey of the actual income and expenses for these residences to see if they are part of the low income demographic? Since the applicant has access to rental and lease documents, would they be able to get that information to the Commission to assist them in their decision making. Again, the Gateway Plan, the 2030 Pan reiterates the Metro Plan Goals for viable residential communities so all residences can seek affordable housing and provide a wide range of housing choices for people of all income types. There are a number of quotes from the “encourage housing diversity and quality neighborhoods”, that might be important to their discussion. It would be discussing encouraging home ownership, minimizing displacement as neighborhoods redevelop, safeguarding condition and quality of housing stock, maintain the traffic and livable neighborhoods and under B, residential land and housing policies to accommodate, that’s again discussing densities that apparently the Patrician Park has achieved or isn’t achieving those, isn’t in compliance with the densities, he believes. Under Goal fostering housing choice in the [unintelligible] for affordability that again talks about some type of inventory of identify and collect baseline data of low income housing, and develop strategies and programs supporting repair and preservation and improvement. He’s not sure they received the inventory given to them. In conclusion, he really thinks citizen, staff, applicant and fellow Commissioners for their patience in allowing him to detail these items and believes forever information on them and possibly and possibly gets some additional findings regarding plan goals and targets.

Commissioner Koivula asked for any further questions from the Commission.

Sandy Belson addressed Commission Koivula. She would not try to attempt to answer all of his questions at this point but would like to point out a couple of things, and that would be in the Springfield Residential Land and Housing Needs Analysis, which was adopted in 2011 as the bases for the Residential Land and Housing Element., our 2030 Plan, so if you look in that analysis to table 5-29, there is an estimate of needed dwelling units by income level for the years of 2010-2030 which is the plan created. So that table lists out income ranges by income marked “segment” so from very low meaning less than 30% of the medium family income, from 30% - 50%, what those income ranges were, number of households we had in those different income ranges and the types of housing that would be financially obtainable at that point. That is what out analysist did to meet the State Wide Planning Goals; this is the basis for our acknowledged plan. We don’t have a more updated inventory beyond what was provided to the Planning Commissioners in the packet for this evening, which was the basis of the Cities of Affordable Housing Strategy, so it was not a comprehensive inventory but there were maps that were provided that are a little more contemporary, again not comprehensive but it does speak to some of the trend that we have seen since the Residential Lands Analysis Study was adopted in 2011.

Commissioner Koivula asked where Table 5-29 was again so he can look at that. It sounds like the Commissioner does have good information.

Sandy Belson said that the Table 5-29 is on page 61 out of the Residential Land and Housing Needs Analysis which was prepared by ECO Northwest.
Commissioner Koivula asked if that was part of the Gateway [unintelligible] Sandy answered that it is in the 2030 Plan.

Sandy Belson also added that the 2030 Plan was adopted by Ordinance No. 6268. The 2030 Plan is Exhibit B of Ord. No. 6268. The Residential Land Use and Housing Element which includes these policies some of which Commission Koivula mentioned. Exhibit B is a technical supplement, it is that Residential Land and Housing Analysis, which provided the factual basis on which that housing element was written.

Commissioner Koivula asked the Commission if they had any more discussion for this topic.

Commissioner Bergen is sure that it has been requested but she would be curious to hear from the four property owners on the top right of that section, excluding that section, because we are talking about moving this from low density residential to mixed use, and those people across the way to the south, there is a bunch of residential there. What is the most impact, she believes the most impact will come from the four properties at the northeast corner and she would question if the commission could have testimony from them, or if the City had received testimony from them, because she feels that they, in addition to evidence of the Patrician, they also believe they will be impacted and she would love to hear more on that if possible.

Sandy Belson answered that the City did provide notice to all the property owners and the residences within 300’ of the mobile home park, so the residences were given the same opportunity to come and testify. Looking at Andy it looks like we haven’t received any testimony from those property owners or residence.

Commissioner Koivula’s understanding that one of those properties is a historic property per the refinement plan. Apparently it’s a class of house or something. He doesn’t know if there are any restrictions that would keep that single-family residential.

Commissioner Koivula believes that the Commission is done with their questions.

REPORT OF COUNCIL ACTION

- Commissioner Gill – attended City Council last night. Exec session regarding contract discussion. Did not go. Several public hearings with no public comment. Proposed amendments to signage in downtown. Working on for a while. First readings. Noise ordinance amendments. Clarification and updating around that more accurate to noise today. Addressing impact of noise not the content of the noise. Updates modernization, keeping up with state statutes. Appointments to arts commission. Letter to City of Eugene, payroll tax impact Springfield citizens that work in Eugene.

Commissioner Koivula asked if that was the payroll tax for [unintelligible].

Kristina Kraaz said that it is for public safety payroll tax.

BUSINESS FROM THE PLANNING COMMISSION

- None

BUSINESS FROM THE DEVELOPMENT AND PUBLIC WORKS DEPARTMENT

- Sandy reminded the Commissioners about their special meeting with Springfield Hearings Official Anne Davies for the joint meeting regarding the Appeals.

Commissioner Bergen asked if there was anything they should do to prepare for this meeting. Sandy answered that the PC Packet should be to the Commissioners by the end of the day tomorrow. She reminded the Commissioners to keep a watch on the website where the packets are posted. If any of the Commissioners
have questions they should reach out to Andy Limbird, he is also the Senior Planner assigned to these applications as well.

Commissioner Koivula asked if this is how this normally happens in the UGB, if the initial decision is made by the Hearings Official and then if it is appealed to both of the jurisdictions. Sandy responded that the initial decision was a staff decision, so the appeal is coming to Springfield Planning Commission for the portion inside the City limits and to the Hearings Official for the portion outside the City limits. Commissioner Koivula repeated that the parcel is both inside and out of the City limits. Kristina added that in the City’s research we have never found this type of circumstance where one development was occurring both within and outside so we have never done a joint Hearings Official and Planning Commission appeal on a type II decision before, so there might be some procedural kinks to work out as we move forward.

**ADJOURNMENT**

The meeting was adjourned at 8:33 p.m.

Minutes Recorder – Shannon Morris

____________________
Michael Koivula
Planning Commission Chair

Attest:

____________________
Shannon Morris
Planning Secretary
### Springfield Planning Commission

**Council Goals:** Encourage Economic Development and Revitalization through Community Partnerships

**ITEM TITLE:** REQUEST FOR METRO PLAN DIAGRAM AMENDMENT AND ZONE CHANGE FOR 13.6 ACRES OF PROPERTY AT 3522 & 3530 GAME FARM ROAD, CASES 811-19-000065-TYP4 AND 811-19-000066-TYP3

**ACTION REQUESTED:**

Adopt an Order and Recommendation to City Council to deny/approve the proposed amendments to the Metro Plan diagram, Gateway Refinement Plan diagram, and Springfield Zoning Map.

**ISSUE STATEMENT:**

The Planning Commission opened the public hearing on the proposed comprehensive plan diagram amendments and zone change on May 7, 2019 and the public hearing was continued to May 21, 2019. The written record was extended to May 28, 2019. The Planning Commission conducted deliberations at the regular meeting on June 4, 2019.

**ATTACHMENTS:**

1. Planning Commission Order and Recommendation
   - Exhibit A: Map and Legal Description
   - Exhibit B: Planning Commission Report and Findings for Metro Plan Amendment
   - Exhibit C: Planning Commission Report and Findings for Zoning Map Amendment

**DISCUSSION:**

The Planning Commission conducted deliberations on June 4, 2019 and directed staff to prepare an Order and Recommendation with findings reflecting its recommendation to the City Council to deny the Metro Plan Amendment and Zoning Map amendment. The attached Planning Commission Reports and Recommendation include findings identifying the policies and facts relied upon by the Planning Commission in reaching its recommendation. The Planning Commission is asked to review the attached documents for clarity and accuracy and consider a formal vote on the matter. The Planning Commission’s adopted Order and Recommendation along with the public record will be forwarded to the City Council for the public hearing currently scheduled for September 3, 2019.
BEFORE THE PLANNING COMMISSION OF SPRINGFIELD, OREGON
ORDER AND RECOMMENDATION FOR:

TYPE I AMENDMENT TO THE EUGENE-SPRINGFIELD METROPOLITAN AREA GENERAL PLAN (METRO PLAN) DIAGRAM AND THE GATEWAY REFINEMENT PLAN DIAGRAM TO REDESIGNATE APPROXIMATELY 13.6 ACRES OF LAND IDENTIFIED AS 3522 & 3530 GAME FARM ROAD (ASSESSOR’S MAP 17-03-15-40, TAX LOT 3100) FROM LOW DENSITY RESIDENTIAL (LDR) TO MIXED USE (MU)

AND

AMENDMENT TO THE SPRINGFIELD ZONING MAP TO REZONE APPROXIMATELY 13.6 ACRES OF LAND IDENTIFIED AS 3522 & 3530 GAME FARM ROAD (ASSESSOR’S MAP 17-03-15-40, TAX LOT 3100) FROM LOW DENSITY RESIDENTIAL (LDR) TO MIXED USE COMMERCIAL (MUC)

NATURE OF THE PROPOSAL

The subject proposal includes a Type I amendment to the Metro Plan diagram and Gateway Refinement Plan diagram, and the proposed Zoning Map amendment:

- Redesignate approximately 13.6 acres of residential property located at 3522 & 3530 Game Farm Road (Map 17-03-15-40, Tax Lot 3100) from Low Density Residential to Mixed Use. The subject property is generally depicted and more particularly described in Exhibit A to this Order.

- Concurrently amend the Gateway Refinement Plan diagram to redesignate 3522 & 3530 Game Farm Road (Map 17-03-15-40, Tax Lot 3100) from Low Density Residential (LDR) to Mixed Use (MU) as generally depicted and more particularly described in Exhibit A to this Order.

- Concurrently amend the Springfield Zoning Map to rezone 3522 & 3530 Game Farm Road (Map 17-03-15-40, Tax Lot 3100) from Low Density Residential (LDR) to Mixed Use Commercial (MUC) as generally depicted and more particularly described in Exhibit A to this Order.

Timely and sufficient notice of the public hearing has been provided, pursuant to SDC 5.2-115.

On May 7, 2019, the Springfield Planning Commission opened a public hearing on the proposed plan amendments and Zoning Map amendment. The public hearing was continued to May 21, 2019 and the written record was extended to May 28, 2019. The Planning Commission began deliberations on the proposed Metro Plan diagram amendment, Gateway Refinement Plan diagram amendment, and Zoning Map amendment on June 4, 2019. The Planning Commission reconvened on July 2, 2019 to vote on the order and recommendation for the proposals. The staff report, supplementary information, written comments, and verbal testimony of those who spoke at the public hearing were entered into the record. The Planning Commission Report and Findings for the Comprehensive Plan Amendment and Zone Change request are attached hereto as Exhibits B and C.

CONCLUSION

On the basis of this record, the proposed Type I Metro Plan Diagram amendment is not consistent with the criteria of SDC 5.14-135. This general finding is supported by the specific findings of fact adopted by the Planning Commission referenced and attached hereto as Exhibit B (plan amendments) and Exhibit C (rezoning).
ORDER/RECOMMENDATION
It is ORDERED by the Springfield Planning Commission that a recommendation to DENY Planning Cases 811-19-00065-TYP4 and 811-19-000066-TYP3 be forwarded to the Springfield City Council.

____________________________       ____________________
Planning Commission Chairperson       Date

ATTEST
AYES:
NOES:
ABSENT:
ABSTAIN:
LEGAL DESCRIPTION

Beginning at a point on the North line of the William M. Stevens Donation Land Claim No. 46, in Township 17 South, Range 3 West of the Willamette Meridian, 709 feet South 89° 55’ East of the intersection of the North line of said claim with the center of the main tract of the Oregonian Railroad, said point of intersection being, according to old county surveys, South 89° 55’ East 383.8 feet from the Northwest corner of said claim; and running thence South 89° 55’ East along the North line of the claim 879.8 feet; thence South 6° 15’ East 238.3 feet; thence South 89° 44’ East 614.4 feet to the center of the County Road; thence South 33° 34’ East 246 feet; thence South 4° 18’ East 48.9 feet; thence North 89° 44’ West 1605 feet; thence North 6° 15’ West 488.6 feet to the point of beginning, being in said William M. Stevens Donation Land Claim, in Lane County, Oregon.

EXCEPT the portion conveyed to the City of Springfield, to be used as a public road, in the Bargain and Sale Deed recorded September 29, 1982, Reception No. 82-29288, Lane County Official Records, in Lane County, Oregon.

ALSO EXCEPT the portion conveyed to the City of Springfield, to be used as a public road, in the Bargain and Sale Deed recorded May 19, 2005, Reception No 2005-036716, Lane County Deeds and Records, in Lane County, Oregon.
Springfield Planning Commission Report and Findings
Type I Amendment to the Metro Plan Diagram

Meeting Date: July 2, 2019

Case Number: 811-19-000065-TYP4

Applicant: Teresa Bishow, Bishow Consulting LLC on behalf of Urban Transitions LLC

Project Location: 3522 & 3530 Game Farm Road (Assessor’s Map 17-03-15-40, Tax Lot 3100)

Request
The City has received applications for a Type I Metro Plan diagram amendment and a concurrent Zoning Map amendment from a property owner. Under Springfield Development Code (SDC) 5.14-115.A.1, an amendment to the Metro Plan diagram inside the City limits is classified as a Type I Metro Plan diagram amendment requiring approval by Springfield only. Under SDC 5.14-125.A, an amendment to the Metro Plan diagram can be initiated by a property owner at any time. Under SDC 5.14-130, a property-owner initiated amendment to the Metro Plan diagram is processed as a Type IV land use action, which requires public hearings before the Springfield Planning Commission and City Council.

The proposed Metro Plan diagram amendment would change the plan designation for the subject parcel from Low Density Residential (LDR) to Mixed Use (MU). The proposed amendment to the Metro Plan diagram would also amend the adopted Gateway Refinement Plan diagram, which is a refinement plan to the Metro Plan. Concurrent with the Metro Plan diagram amendment and Gateway Refinement Plan amendment, the applicant has proposed to amend the Springfield Zoning Map to change the zoning of the site from LDR to Mixed Use Commercial (MUC).

The proposed Mixed Use plan designation and MUC zoning would allow for construction of a variety of commercial and higher density residential units such as hotels, meeting and conference facilities, eating and drinking establishments, retail stores, and offices. According to the applicant’s submittal:

“The zone change will allow redevelopment of the site for a new vibrant mix of uses that will stimulate job growth, support the hospitality industry, and provide new diverse housing options.”

The application was submitted on March 14, 2019 and the initial public hearing before the Springfield Planning Commission was held on May 7, 2019. The public hearing was continued to May 21, 2019 and the written record was extended to May 28, 2019.

1 The application and public notices identify the proposal as changing the designation of the subject property from a combination of Commercial and Low Density Residential to Mixed Use. When the tax lot map is overlaid with the Metro Plan diagram, the western portion of the subject property appears to be designated Commercial with the remainder Low Density Residential. However, the Metro Plan diagram was not adopted to apply designations to specific properties. The Gateway Refinement Plan refines the Metro Plan diagram to assign plan designations to specific properties. The Gateway Refinement Plan diagram clearly shows that the entire property subject to this proposal is designated as Low Density Residential, with Commercial designation immediately to the west of the subject property. Accordingly, the existing designation for the subject property under both the Metro Plan and Gateway Refinement Plan is only Low Density Residential.

Additionally, the applicant’s narratives refers to the proposed designation as both “Mixed Use” and “Commercial Mixed Use.” The applicant’s maps show the proposed designation as “Mixed Use.” “Commercial Mixed Use” is not a land use designation recognized under the Gateway Refinement Plan. According, all references by the applicant to Commercial Mixed Use designation are treated as a reference to the Mixed Use designation.
Notification
Under Oregon Administrative Rule (OAR) 660-018-0020, prior to adopting a change to an acknowledged comprehensive plan or land use regulation, local governments are required to notify the state Department of Land Conservation and Development (DLCD) at least 35 days prior to the first evidentiary hearing. A Notice of Proposed Amendment was transmitted to the DLCD on March 22, 2019, which is 46 days prior to the initial Planning Commission public hearing on the matter.

Under SDC 5.2-110.B, this application requires mailed notification of the public hearing as well as notice in a newspaper of general circulation. Notice of the May 7, 2019 Planning Commission public hearing was mailed to adjacent property owners and residents on April 12, 2019 and published in the legal notices section of The Register Guard on April 29, 2019. Staff also posted notices of the May 7, 2019 public hearing at two places along the Game Farm Road frontages of the property (northwest and southeast edges); along the Beltline Road frontage of the subject property; in the lobby of City Hall; on the Development & Public Works office digital display; and on the City’s webpage.

Response to Public Testimony
Over the course of the initial public comment period, and during the Planning Commission public hearing, both written and verbal testimony was submitted to the record. Forty-six written submittals were entered into the record of the Planning Commission action. The issues raised in the submitted comments are summarized below and are permanently kept in the Planning file for this application (Case 811-19-000065-TYP4). All of the testimony will be forwarded to the City Council for consideration at the public hearing meeting on September 3, 2019.

Issues Identified
The following key issues are among those identified in the public comments submitted to the Planning Commission:

- The proposal will effectively render existing homes on the subject property almost worthless because the resale value will be impacted by the change of plan designation and changing the zoning from residential to mixed use commercial;
- A change in plan designation is unwarranted when other property [in the vicinity] is undeveloped or underdeveloped;
- Other jurisdictions have adopted comprehensive plan policies that address manufactured dwelling parks;
- The proposed redesignation is contrary to State law, particularly Oregon Revised Statutes (ORS) Sections 90 and 456.
- The proposed Metro Plan amendment could require residents to vacate their homes;
- The Patrician mobile home park is a form of affordable housing for vulnerable segments of the population including the elderly and persons with disabilities;
- The state-mandated compensation for closure of mobile home parks ($6,000 - $8,000 per dwelling unit) isn’t enough to cover the cost of relocation. And, even if relocation of the affected homes was possible, there are very few vacant mobile home park spaces available in the region.

Responses to Issues
Proposed Rezoning Action Diminishes Value of Existing Dwellings
A common theme among respondents that oppose the proposed redesignation and rezoning is a concern that the action would render the existing manufactured dwellings on the site essentially worthless. Not only would the residents be required to disclose the change of zoning to a potential purchaser, the property owner has indicated that site redevelopment is anticipated in the next 5-10 years making long-
term viability of the manufactured dwellings doubtful. At least one respondent has commented that the loss in value of the existing units due to rezoning would constitute an unconstitutional taking of private property. Additionally, relocation of the vintage manufactured dwellings could be costly and damaging to the structures. And, even if relocation could be undertaken, there are very few vacant manufactured dwelling park sites available in the region.

The redesignation and rezoning of the property would make the existing mobile home park a legal non-conforming use. Non-conforming uses are created when the City changes the type of uses it allows in a zoning district as a way to implement goals and policy that indicate a desire for a different type of future land uses. The City has no policies about non-conforming uses that provide any direction in terms of this plan amendment and rezoning. However, the Planning Commission did identify Metro Plan policies A.25 and A.26 that address conserving the existing housing supply and neighborhoods through such measures as appropriate zoning. But, it must be recognized that even with denial of the proposed Metro Plan diagram amendment and zone change, the property owner could close the mobile home park and redevelop the property.

Proposed Rezoning Action is Contrary to Provisions of ORS 90 & 456
One respondent cited a section of the Oregon Revised Statutes (ORS) and stated the proposed action was contrary to state law. The provisions of ORS 90 & 456 pertain to landlord-tenant relationships, including manufactured homes within managed parks, and are not governed by the City or applicable to land use actions affecting the property.

Proposed Rezoning Action Could Result in Residents Becoming Homeless
A primary concern among respondents is the high cost of housing in the area, and the fact that the Patrician Mobile Home Park is an age 55+ facility that offers relatively low cost housing for vulnerable demographics: the elderly, veterans, and persons with disabilities. Residents testified that the rezoning could result in eventual displacement of the residents, and that there are few if any “landing spots” for the residents. Some of the respondents indicated that they would not meet income qualifications for a different park if they are forced to move because they are on a fixed income and rents have been increasing at a faster rate than pensions and Social Security benefits. Respondents also spoke of not only being afraid of losing their homes, but also their community and each other. They like the location of the park as it is near transit and services.

Retaining needed housing and providing an affordable home ownership option in this neighborhood is a primary consideration in the recommendation of the Planning Commission for this proposed redesignation and rezoning action.

Proposed Rezoning Action Constitutes a Mobile Home Park Closure
Respondents cited the public hearing notice as their indication that the Patrician Mobile Home Park was about to close and their dwellings “would be bulldozed.” Although the rezoning itself does not result in a closure – as the park can continue to function as a legal non-conforming use – the applicant has indicated an intent to redevelop the site within the next 5-10 years. Regardless of whether the rezoning is approved – or not – the applicant could still announce a mobile home park closure in the upcoming years and the residents would have to find other places to live. There would not be a public hearing or land use approvals required for a park closure. Amending the Metro Plan designation and zoning of the subject property, if approved, does not automatically displace current residents from their homes. The existing residential uses on the site can continue indefinitely under either the current or the proposed comprehensive plan designation and zoning. If the plan designation is changed to mixed-use and the zoning is changed to mixed use commercial, the mobile home park could remain as an existing non-conforming use until the site
formally redevelops. Nothing in the proposal alters the landlord’s obligations to tenants under state law (as provided in ORS 90.645-655) before closing a manufactured dwelling park, nor does this development proposal require the closing of the manufactured dwelling park, which is consistent with the City’s obligations in ORS 90.660 not to interfere with a tenant’s rights under state law.

**Available Compensation is Insufficient for Mobile Home Park Closure**

Respondents commented that the compensation they would receive is insufficient to compensate for the loss of their dwelling, to facilitate a relocation of their unit, or to provide a down payment on another dwelling – whether in a manufactured dwelling park or another type of housing. Almost all of the residents within the Patrician Mobile Home Park own their units, but not the underlying property. At such time as a park closure is announced, state statute (ORS 90.645) provides for a one year notification and $6,000 for a single-wide or $8,000 for a double-wide unit (or more based on inflation) as compensation from the park owner.

Some residents requested that the City include a condition of approval to require additional compensation. There are no criteria of approval that would require this type of payment to the tenants.

Regarding the remaining issues raised under public comments, the findings in this report demonstrate that the proposed Metro Plan diagram amendment complies with the requirements of the Statewide Planning Goals, including Goal 10 – Housing. However, because different and conflicting Metro and Refinement Plan policies apply to the proposed comprehensive plan amendment and zone change, the approval authority must determine which policies are more applicable or carry greater weight in this case. A majority of the Planning Commission has determined that the Metro Plan and Gateway Refinement Plan policies and public testimony pertaining to preserving existing housing/neighborhood, supporting affordable housing, and providing a choice of housing take precedence over the policies pertaining to redevelopment for mixed uses, as generally described and more specifically detailed under Criterion B.2 below.

**Criteria of Approval**

Section 5.14-135 of the SDC contains the criteria of approval for the decision maker to utilize during review of Metro Plan diagram amendments. The Criteria of approval are:

**SDC 5.14-135 CRITERIA**

A Metro Plan amendment may be approved only if the Springfield City Council and other applicable governing body or bodies find that the proposal conforms to the following criteria:

**A. The amendment shall be consistent with applicable Statewide Planning Goals; and**

**B. Plan inconsistency:**

1. **In those cases where the Metro Plan applies, adoption of the amendment shall not make the Metro Plan internally inconsistent.**

2. **In cases where Springfield Comprehensive Plan applies, the amendment shall be consistent with the Springfield Comprehensive Plan.**

In addition, SDC 5.14-115A provides the criteria of approval for refinement plan amendments:
In reaching a decision on the adoption or amendment of refinement plans and this Code’s text, the City Council shall adopt findings that demonstrate conformance to the following:

1. The Metro Plan;

2. Applicable State statutes; and


The criteria of approval in SDC 5.14-115A require the same findings as the criteria of approval for Metro Plan amendments in SDC 5.14-135. Because the criteria of approval for Metro Plan diagram amendments and refinement plan diagram amendments are the same (although worded differently), the findings in this report that demonstrate compliance with the criteria in SDC 5.14-135 also demonstrate compliance with SDC 5.14-115A and those criteria are therefore not addressed separately.

A. Consistency with Applicable State-Wide Planning Goals

Finding 1: Of the 19 statewide planning goals, 13 are “urban” goals: the goals that may be applicable to plan map amendments within Springfield’s urban growth boundary (UGB). The potentially applicable goals are Goal 1 – Citizen Involvement; Goal 2 – Land Use Planning; Goal 5 - Natural Resources, Scenic and Historic Areas, and Open Spaces; Goal 6 - Air, Water and Land Resources Quality; Goal 7 – Areas Subject to Natural Hazards; Goal 8 - Recreational Needs; Goal 9 – Economic Development; Goal 10 – Housing; Goal 11 - Public Facilities and Services; Goal 12 - Transportation; Goal 13 - Energy Conservation; Goal 14 – Urbanization; and Goal 15 - Willamette River Greenway. Goal 3 – Agricultural Lands and Goal 4 – Forest Lands are not applicable within the City’s acknowledged UGB. Goals 16 through 19 are related to ocean and coastal planning and not applicable within Springfield’s UGB. The 13 urban statewide planning goals are listed below; findings and a determination of compliance are included for each applicable goal.

Goal 1 – Citizen Involvement

Applicant’s Narrative: “The City of Springfield has a citizen involvement program that is acknowledged by the State as in compliance with Goal 1. This Metro Plan amendment and related land use applications are being reviewed as a Type IV procedure. This procedure includes opportunities for citizens to be involved including two public hearings. Requirements under Goal 1 are met by adherence to the citizen involvement processes required by the Metro Plan and implemented by the Springfield Development Code, Chapter 5, Type IV land use application review procedures. This application complies with the SDC Type IV procedures and thus complies with Goal 1.”

Finding 2: Goal 1 – Citizen Involvement calls for “the opportunity for citizens to be involved in all phases of the planning process.” As the applicant notes in their narrative, the proposed citizen-initiated amendment to the adopted Metro Plan diagram is subject to the City’s acknowledged plan amendment process (SDC 5.14-100 Metro Plan Amendments) and the City’s public notice standards (SDC 5.2-115). This process requires a public hearing before the Springfield Planning Commission and a public hearing before the Springfield City Council, and requires the City to provide mailed notice (see description following). Mailed notice of the Planning Commission public hearing on May 7, 2019 was sent to all property owners and residents within 300 feet of the subject property on
April 12, 2019. The Planning Commission public hearing was advertised in the Register-Guard on April 29, 2019.

Finding 3: At the request of persons testifying at the May 7, 2019 public hearing, the public hearing was extended to May 21, 2019 and the written record was subsequently extended to May 28, 2019. All public testimony and information addressing the criteria of approval was considered and is included in the record for the Planning Commission’s recommendation to City Council.

Finding 4: Planning Commission hearing procedures for open record requests and deliberations resulted in the rescheduling of the initial City Council hearing on the matter until September 3, 2019. Mailed notification of the rescheduled City Council hearing was provided to all property owners and residents within 300 feet of the subject property on May 14, 2019. The City Council public hearing will be advertised in the legal notices section of the Register-Guard in August, 2019. Additionally, staff posted notices for the rescheduled public hearing at three locations on the perimeter of the subject property, in the lobby of City Hall, on the Development & Public Works office digital display, and on the City’s webpage. The notice for this proposed Metro Plan diagram amendment complies with SDC 5.2-115 and is consistent with Goal 1 requirements. Public testimony and all information received addressing the criteria of approval will be considered and included in the record for the City Council’s decision.

Finding 5: As demonstrated above, the citizen involvement process for this application is consistent with the City’s acknowledged procedures for compliance with Goal 1 – Public Involvement.

**Goal 2 – Land Use Planning**

*Applicant’s Narrative:* “Goal 2 requires local plans and regulatory measures to be consistent with statewide goals and land use decisions to be supported by an adequate factual basis. Goal 2 also requires that comprehensive plan amendments be adopted after a public hearing by the governing body that provides citizens an opportunity to comment on the proposed amendment. The Springfield Development Code implements Goal 2 by providing state-acknowledged procedures and criteria governing land use decisions. This Metro Plan amendment and related applications will be considered by the Planning Commission and City Council following two public hearings. This application complies with the requirements of the Springfield Development Code and thus complies with Goal 2.”

Finding 6: Goal 2 – Land Use Planning outlines the basic procedures for Oregon’s statewide planning program. Under Goal 2, land use decisions must be consistent with a comprehensive plan, and jurisdictions are to adopt suitable implementation ordinances that put the plan’s policies into force and effect. Consistent with the City’s coordination responsibilities and obligations to provide affected local agencies with an opportunity to comment, the City sent a copy of the application submittals to the following agencies: Willamalane Park & Recreation District; Springfield Utility Board (water, ground water protection, electricity and energy conservation); Lane 911; United States Postal Service; Northwest Natural Gas; Emerald People’s Utility District; Rainbow Water District; Eugene Water and Electric Board – Water and Electric Departments; Springfield School District #19 Maintenance, Safe Routes to School and Financial Services; Lane County Transportation, County Sanitarian; Lane Regional Air Pollution Authority; Comcast Cable; CenturyLink; Lane Transit District; and ODOT Planning and Development, State Highway Division. Additionally, notice was provided electronically to DLCD on March 22, 2019.
Finding 7: The *Metro Plan* is the acknowledged comprehensive plan for guiding land use planning in Springfield. The City has adopted other neighborhood- or area-specific plans (such as Refinement Plans) that provide more detailed direction for land use planning under the umbrella of the *Metro Plan*. The subject property is within the adopted *Gateway Refinement Plan* area and the proposed amendment to the *Metro Plan* diagram would concurrently amend the adopted Refinement Plan diagram. Additionally, the City is in the process of developing and adopting a Springfield-specific Comprehensive Plan. The acknowledged *Springfield 2030 Refinement Plan Residential Land Use and Housing Element* (Ordinance 6268) provides supplemental policies and findings and expands upon – but does not replace – the applicable residential *Metro Plan* policies. The acknowledged *Springfield 2030 Comprehensive Plan Economic Element* (Ordinance 6361) replaces the economic development and employment findings and policies of the *Metro Plan*. Findings that demonstrate the proposal’s consistency with these elements of the comprehensive plan are provided under Criteria B. These findings demonstrate the public need and justification for the proposed *Metro Plan* and *Gateway Refinement Plan* diagram amendment.

Finding 8: The public hearing process used to amend the *Metro Plan* and adopted refinement plans is specified in Chapter IV *Metro Plan Review, Amendments, and Refinements*. These policies are acknowledged as consistent with the Goal 2 requirement that citizens and affected governments be provided notice and an opportunity to review and comment on minor changes to the comprehensive plan. The following relevant sections of the Springfield Development Code are acknowledged to implement the above *Metro Plan* policies and Goal 2. The proposal is classified as a Type I amendment to the adopted *Metro Plan* diagram that is approved by Springfield only under SDC 5.14-115.A. The proposed *Metro Plan* diagram amendment was initiated under SDC 5.14-125 and is being processed as a Type IV land use action consistently with SDC 5.1-140 and 5.14-130. Because this process is consistent with the relevant procedures in the Springfield Development Code, it is consistent with the *Metro Plan* policies and Goal 2.

Goal 5 – Natural Resources, Scenic and Historic Areas, and Open Spaces

*Applicant’s Narrative:* “The property does not contain any inventoried Statewide Goal 5 resources. The *Gateway Refinement Plan* does not identify any natural assets or historic resources on the property. Goal 5 is not applicable.”

Finding 9: Goal 5 – Open Spaces, Scenic and Historic Areas, and Natural Resources applies to more than a dozen natural and cultural resources such as wildlife habitats and wetlands, and establishes a process for each resource to be inventoried and evaluated. As stated in the applicant’s narrative, the site that is subject of the proposed *Metro Plan* diagram amendment is considered developed and has not been identified in the City’s Natural Resources Inventory, Register of Historic Sites, or the Willamalane Park & Recreation District Comprehensive Plan. There are no known natural or cultural resources present on the subject site. Therefore, this action does not alter the City’s acknowledged compliance with Goal 5.

Goal 6 – Air, Water and Land Resources Quality

*Applicant’s Narrative:* “The City of Springfield has existing programs and regulations in place to maintain and improve the quality of the air, water and land resources. Springfield’s Environmental Services Divisions (ESD) coordinates the City’s and Metro region’s compliance with applicable federal and state environmental quality statutes. ESD manages multiple programs to maintain compliance with Goal 6 including Water Resources Programs, such as implementing the City’s
National Pollutant Discharge Elimination System (NPDES) stormwater discharge permit, and the Wastewater & Stormwater (sewer & drainage) Programs. This Metro Plan amendment will allow redevelopment of an existing developed site. All new development must comply with applicable local, state and federal air and water quality standards. The proposed Metro Plan amendment does not alter the City’s acknowledged compliance with Goal 6.”

Finding 10: Goal 6 – Air, Water and Land Resources Quality applies to local comprehensive plans and the implementation of measures consistent with state and Federal regulations on matters such as clean air, clean water, and preventing groundwater pollution. The proposed Metro Plan diagram amendment and concurrent Gateway Refinement Plan amendment does not affect City ordinances, policies, plans, and studies adopted to comply with Goal 6 requirements. Therefore, this action does not alter the City’s acknowledged compliance with Goal 6.

Goal 7 – Areas Subject to Natural Hazards

Applicant’s Narrative: “The Metro Plan, Springfield’s 2030 Plan and the City’s Development Code are acknowledged to be in compliance with all applicable statewide land use goals, including Goal 7. Springfield has existing programs, policies, zoning overlays, and development standards to regulate development in areas subject to natural disasters and hazards. The property included in this Metro Plan amendment is not in the City’s Floodplain Overlay District or the Hillside Development Overlay. The Gateway Refinement Plan does not identify the property as within the Floodway, Floodway Fringe, or containing hydric soils. The property does not contain any known natural hazards. Goal 7 is not applicable.”

Finding 11: Goal 7 – Areas Subject to Natural Hazards applies to development in areas such as floodplains and potential landslide areas. Local jurisdictions are required to apply “appropriate safeguards” when planning for development in hazard areas. The City has inventoried areas subject to natural hazards such as the McKenzie and Willamette River floodplains and potential landslide areas on steeply sloping hillsides. The subject site is within a developed residential neighborhood and is on level ground, but it is outside the mapped 100-year flood hazard area of the McKenzie River. Future site development will be subject to the provisions of the City’s Site Plan Review process as described in SDC 5.17-100.

Finding 12: The proposed Metro Plan diagram amendment has no effect on City ordinances, policies, plans, and studies adopted to comply with Goal 7 requirements and siting standards for development within hillside areas or the mapped flood hazard area of the McKenzie and Willamette Rivers. Therefore, this action has no effect on the City’s acknowledged compliance with Goal 7.

Goal 8 – Recreational Needs

Applicant’s Narrative: “The subject property is located in the Willamalane Park and Recreation District located at 1500 Mallard Avenue [sic]. Gamebird Park is improved with a full basketball court, playground and other amenities. Per Goal 8, the 2012 Willamalane Park and Recreation Comprehensive Plan assessed projected population growth and changes in community demographics. The plan proposed new and expanded recreational facilities although none were identified on the subject property. Within a mile of the subject property, an area adjacent to the McKenzie River is identified for a proposed new path and special use park. The subject property is currently designated on the Metro Plan Diagram as a combination of Commercial and Low Density Residential. The proposed Metro Plan amendment will allow a diversity of commercial and high-
density residential uses [through] a concurrent zone change to Mixed Use Commercial (MUC). A proposed amendment to the MUC zone would allow a conference center providing a destination for visitors and an educational facility for the region’s workforce. The subject property is not needed to satisfy recreational needs. The proposed Metro Plan Diagram amendment and related applications comply with Goal 8.”

Finding 13: As stated in the applicant’s narrative, Goal 8 – Recreational Needs requires communities to evaluate their recreation areas and facilities and to develop plans to address current and projected demand. The provision of recreation services within Springfield is the responsibility of Willamalane Park & Recreation District. Willamalane has an adopted 20-Year Comprehensive Plan for the provision of park, open space and recreation services for Springfield. The proposed Metro Plan diagram amendment would not affect Willamalane’s adopted Comprehensive Plan or other ordinances, policies, plans, and studies adopted to comply with Goal 8 requirements. Therefore, this action has no effect on the City’s acknowledged compliance with Goal 8.

Goal 9 – Economic Development

Applicant’s Narrative: “Pursuant to Statewide Planning Goal 9, in February 2010, the Springfield City Council, together with Eugene and Lane County, approved the Regional Prosperity Economic Development Plan providing a framework to better align regional economic growth with the area’s assets and values. In 2016 the City of Springfield amended the Metro Plan and adopted Springfield’s city-specific Springfield 2030 Comprehensive Plan Economic Element including Economic Development Goals, Policies and Implementation Strategies as well as its Technical Supplement the Springfield Commercial and Industrial Buildable Lands Inventory and Economic Opportunities Analysis (EOA). (City Ordinance No. 6361). The adopted Economic Element stated a need for large sites for future employment. Specifically, ‘The employment land needs that may not be met within the UGB are for sites five acres and larger. The City has one buildable site 20 acres or larger.’ (Finding 16). It is worth noting that the EOA indicated there were no available sites designated either Commercial or Mixed Use between 10.00-19.99 acres (See EOA, Table 2-9). The property is approximately 13 acres and if available for commercial development would help meet the projected demand. The EOA listed sectors with the most growth potential as: Health and Social Assistance; Administrative and Support; Construction; and Accommodations and Food Services. Other sectors with growth opportunities were listed as: Arts, Entertainment, and Recreation; Management of Companies and Enterprises; Professional, Scientific, and Technical Services; and Private Educational Services (See EOA pages 62 and 63). Consistent with Goal 9 requirements, the City of Springfield identified ‘target industries’ or those most likely to be attractive to Springfield (See EOA pages 65-67). The ‘target industries’ include:

- Medical Services
- Services for Seniors
- Call Centers
- Manufacturing
- Specialty Food Processing
- High-Tech
- Professional and Technical Services
- Call Centers [sic]
- Back-Office Functions
- Tourism
- Green Businesses
The City of Springfield has multiple plan designations that can accommodate the target industries listed above (See EOA, Table 4-2 Target Industries and Plan Designations). This Metro Plan amendment would change the Plan Diagram for the subject property from a combination of Commercial and Low Density Residential to Mixed Use. The Mixed Use designation would provide a new 13 acre site available for several of Springfield’s target industries. As noted in the EOA, ‘Many businesses in Springfield, especially large businesses like those in Springfield’s target industries, are located as close to Interstate 5 or a state highway as possible...Much of Springfield’s employment base, especially large employers, is clustered in the Gateway area, within one mile (or less) of I-5.’ (See page 92). The subject property is located within one mile of Interstate 5 and close to other major employers and medical services such as RiverBend Hospital. The subject property is ideally suited for a mix of uses including a conference center, hotels, higher education or business training facility. The proposed Metro Plan amendment and related applications will increase the available supply of land for employment needs and thus complies with Goal 9.”

Finding 14: Goal 9 – Economic Development addresses diversification and improvement of the economy. It requires local jurisdictions to conduct an inventory of commercial and industrial lands, anticipate future needs for such lands, and provide enough appropriately-zoned land to meet the projected demand over a 20-year planning horizon. The City’s acknowledged Commercial and Industrial Buildable Lands Inventory and Economic Opportunities analysis (CIBL-EOA) identified a deficit of employment land, including a need for 4 new sites that are between 5 and 20 acres in size. To address this deficit, the City expanded the UGB to provide sufficient employment-generating land area for the 20-year planning horizon. The UGB expansion has been acknowledged by LCDC effective March 5, 2019. This proposal would result in a small surplus of sites between 5 and 20 acres in size that are available for mixed use commercial development, which is consistent with Goal 9.

Finding 15: The proposed Metro Plan diagram amendment from Low Density Residential to Mixed Use will supplement the amount of employment land within the City’s inventory. Amending the Metro Plan diagram to facilitate redevelopment of existing sites complies with Goal 9.

Goal 10 - Housing

Applicant’s Narrative: “The April 2011 Springfield Residential Land and Housing Needs Analysis (RLHNA) serves as the City’s ‘housing needs analysis and buildable lands inventory’ under Goal 10, Division 008 and ORS 197.296. The April 2011 RLHNA demonstrated in the aggregate there was sufficient buildable residential land within Springfield’s urban growth boundary to meet residential, public and semi-public land needs during the 20-year planning period. As stated in the adopting Ordinance No. 6268, Exhibit F-14:

‘Springfield has an overall surplus of residential land in two residential plan designations:

- The Low Density Residential (LDR) designation had a surplus of approximately 378 buildable acres;
- The Medium Density Residential (MDR) designation had a surplus of approximately 76 gross buildable acres.

However,
The High Density Residential (HDR) designation had a deficit of approximately 28 gross buildable acres needed to accommodate an additional 411 high-density, multiple family housing units.

The City was not required, nor did the City take action to address the surplus of buildable land available for low- and medium-density housing. The City did amend the Glenwood Refinement Plan to re-designate 28 acres as Mixed Use to help address the deficit of high-density residential land. The proposed plan amendments and zone change application will further address the deficiency by providing an additional 13 acre site available for high-density residential uses. The RLHNA included a detailed spreadsheet of the tax lots in the residential land base by plan designation and zoning. Since the subject property was developed, it was not included in the residential buildable land inventory as a site available to meet future housing needs. The subject property is designated in the Metro Plan as Commercial and Low Density Residential. The proposed Metro Plan amendment would shift surplus low-density residential land to Mixed Use Commercial helping to further address the deficit of high density multiple family housing. Please refer to Exhibit C – Metro Plan Diagram – Existing and Proposed. The Metro Plan change and related applications comply with Goal 10.”

Finding 16: Goal 10 – Housing applies to the planning for – and provision of – needed housing types, including mobile home or manufactured dwelling parks. The subject site is currently developed as a mobile home and manufactured dwelling park, which is a permitted use in the existing LDR designation and zone. As noted by the applicant’s narrative, a surplus of LDR designated land exists within the City’s land inventory. Currently, the surplus of LDR designated land is approximately 164.6 acres. (See Ordinance 6364, 6373, 6374, 6375, 6378, 6395, and 6400).

Finding 17: The proposed Metro Plan diagram amendment would change the anticipated type of development on the property from single-family homes to a variety of commercial uses with provision for higher-density residential units to be included. Although the proposed Metro Plan diagram amendment from LDR to Mixed Use would allow for certain types of residential units to be constructed on the site, the 13.6-acre property would no longer be part of the City’s residential land inventory.

Finding 18: The subject property is identified in the acknowledged Residential Land and Housing Needs Analysis (RLHNA) as not available for housing because it is already a fully developed site. Amending the Metro Plan designation of the subject site from LDR to Mixed Use will have a collateral impact on the City’s housing inventory because, upon future redevelopment of the site, the existing dwelling units on the subject site would no longer be counted toward meeting the City’s housing need. The subject site is 13.6 acres and is currently developed to support 80 manufactured dwelling units or mobile homes and there is one stick-built house. The RLHNA assumes redevelopment of currently developed sites will occur at a rate of 5% from 2010-2030. Redevelopment of the subject site would remove 81 dwellings from the housing inventory that are attributable to the subject site in the RLHNA. The RLHNA assumes a future density of 7.9 dwelling units per acre for all dwelling types. Therefore, if 81 dwelling units are removed from the inventory of existing dwellings upon future site redevelopment, there is a need for approximately 10.3 acres of additional buildable LDR land. Effectively, this reduces the City’s surplus of LDR to 154 acres. Because the inventory shows a surplus of residential buildable land both before and after the proposed plan amendment, the remaining surplus shows that the plan amendment is consistent with Goal 10. Therefore, the proposal is consistent with Goal 10.
Goal 11 – Public Facilities and Services

Applicant’s Narrative: “The property is located within the City of Springfield and currently is provided the full range of urban public facilities and services. The proposal will not affect the City or other service providers’ ability to provide public services. The Metro Plan amendment and related applications comply with Goal 11.”

Finding 19: Goal 11 – Public Facilities and Services addresses the efficient planning and provision of public services such as sewer, water, law enforcement, and fire protection. Under OAR 660-011-0005(5), public facilities include water, sewer and transportation facilities, but do not include buildings, structures or equipment incidental to the operation of those facilities. The Public Facilities and Services Plan (PFSP) is a functional plan of the Metro Plan that is acknowledged to meet Springfield’s obligations under Goal 11. This area of Springfield is already planned for a variety of residential, commercial, campus industrial, and institutional development and the public facilities serving this area have been planned accordingly. The PFSP states that there is current capacity to adequately serve all infill, redevelopment, and Nodal Development Areas within Springfield city limits, which includes the subject property. If future redevelopment results in a need to increase the capacity of existing infrastructure serving the property, mitigation would be required at time of development.

Goal 12 – Transportation

Applicant’s Narrative: “The City of Springfield’s adopted and acknowledged Transportation System Plan (TSP) is the Springfield 2035 Transportation System Plan. The proposed Metro Plan Diagram change from a combination of Community Commercial and Low Density Residential to Commercial Mixed Use is consistent with the TSP. The amendment will allow the creation of a vibrant, mixed use area taking advantage of the strategic location near transit and major transportation corridors. The mixed use land use pattern will be developed at densities that support transit ridership and decrease reliance on the automobile. To comply with the Transportation Planning Rule and local regulations, a special Traffic Impact Study was conducted to assess projected traffic associated with commercial mixed use development at the Patrician Mobile Home Park. The Traffic Impact Study, prepared by David Evans and Associates, concluded:

‘Approval of the proposed zoning of Commercial Mixed Use would not result in a significant effect to the existing or planned transportation facilities in the opening year of 2020 or the 20-year planning horizon of 2038. With signal timing optimization at the intersection of Gateway at Game Farm Road, all study area intersections are projected to meet the ODOT and City mobility target in the opening year of 2020. For the forecast year of 2038, all study area intersections are projected to meet the ODOT and City mobility targets with currently planned improvements. A detailed safety analysis determined that safety oriented mitigations are not necessary, and that there are no trends that would be magnified by the proposed redevelopment of the project site.’

For additional information, please refer to the Traffic Impact Study dated March 2019 prepared for Urban Transitions, LLC distributed under separate cover.”

Finding 20: OAR 660-012-0060, also referred to as the Transportation Planning Rule (TPR), requires that, “if an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map), would significantly affect an existing or planned
transportation facility, then the local government must put in place measures” to mitigate the impact, as defined in OAR 660-012-0060(2). Under the TPR, a plan amendment and/or zone change may result in a “significant affect” under OAR 660-012-0060(2)(a) & (b) by changing the functional classification of an existing or planned transportation facility, or by changing the standards implementing a functional classification system. The proposed Metro Plan diagram amendment from LDR to Mixed Use does not alter the functional classification of any facility or change any standards for implementing the functional classification system and therefore do not result in a “significant affect” under OAR 660-012-0060(2)(a) or (b).

Finding 21: Under the TPR, a plan amendment or zone change may also result in a “significant affect” if it would result in any of the effects listed under OAR 660-012-0060(2)(c) “based on projected conditions measured at the end of the planning period identified in the adopted TSP.” Under the TPR, a “significant affect” occurs if the proposed amendment(s) would result in types or levels of travel or access that are inconsistent with the identified functional classification of the existing or planned transportation facilities, that degrade the performance of an existing or planned transportation facility such that it would not meet performance standards identified in the TSP, or that degrade the performance of an existing or planned transportation facility that is otherwise not projected to meet the performance standards identified in the TSP.

Finding 22: When determining whether a proposed functional plan or land use amendment has a significant effect, OAR 660-012-0060(4)(a) states that local governments shall rely on existing transportation facilities and services and on the planned transportation facilities and services set forth under subsections (4)(b) and (4)(c) of the rule. OAR 660-012-0060(4)(b)(E) states that improvements to regional and local roads, streets, or other facilities that are included in a regional or local transportation system plan are considered planned facilities, improvements or services when the responsible local government provides a written statement that the facilities, improvements, or services are “reasonably likely to be provided by the end of the planning period.”

Finding 23: Under OAR 660-012-0060(4)(c)(A), which is applicable within interstate interchange areas, the facilities and improvements listed in subsection (4)(b)(E) are considered planned facilities if the Oregon Department of Transportation (ODOT) provides written concurrence that the proposed funding and mitigation measures are sufficient to avoid a significant adverse impact on the Interstate Highway systems. Under OAR 660-012-0060(4)(c)(B), which is applicable within interstate interchange areas, the City may rely on improvements listed in an adopted interchange area management plan that are also identified under subsection (4)(b)(E).

Finding 24: The City of Springfield has an adopted and acknowledged transportation system plan under Goal 12: the Springfield 2035 Transportation System Plan (Springfield TSP). The end of the planning period in the Springfield TSP is the year 2035. The Springfield TSP prioritizes planned improvements and facilities that the City expects to construct in the 20-year planning horizon (20-year projects) and those that they may not be constructed in that time (beyond 20-year projects). The 20-year projects are broken down in relative order of priority as “priority projects,” “opportunity projects,” and “as-development occurs” projects. However, any of the projects listed in the Springfield TSP could be constructed within the planning period as opportunities arise.

Finding 25: The development area falls within the geographic scope of the interstate interchange area for I-5 and Beltline. The I-5/Beltline Interchange Project Interchange Area Management Plan is Oregon Department of Transportation’s (ODOT’s) adopted Interchange Area Management Plan
(IAMP) for the interstate interchange area. ODOT facilities are subject to the performance standards in the Oregon Highway Plan.

Finding 26: As required by SDC 5.22-110, the applicant has submitted a Traffic Impact Study (TIS) addressing traffic impacts associated with the proposed zone change from Low Density Residential to Mixed Use Commercial to show compliance with the TPR at OAR 660-012-0060. The scope of the applicant’s TIS complies with the requirements in SDC 4.2-15A.4 and the City of Springfield’s Standard Operational Procedures and Policies. The intersections and driveways scoped in the applicant’s TIS are reasonable, appropriate, and relevant to the potential impacts of the proposed plan amendment and zone change.

Finding 27: The applicant’s TIS relies upon three planned Springfield TSP projects—R-3, R-50, and R-2—in the analysis for the future buildout conditions in order to determine whether the proposed comprehensive plan diagram and zoning map amendments would meet performance standard within the applicable planning horizon. Project R-3, Game Farm Road – East to International Way, is listed as a “priority project” in the Springfield TSP’s 20-year project list and it is reasonably likely that this project will be completed by the end of the planning period in 2035. Project R-50, Gateway/Beltline Phase 2 project, is listed as a “priority project” in the Springfield TSP’s 20-year project list and is included in the I-5/Beltline Interchange Project. It is reasonably likely that this project will be completed by the end of the planning period in 2035. Project R-2, Gateway Road/International Way to UGB, is listed as an “opportunity project” in the Springfield TSP’s 20-year project list. Again, it is reasonably likely that this project will be completed by the end of the planning period in 2035.

Finding 28: The applicant’s TIS was submitted to ODOT Region 2 for review. Via memo dated April 3, 2019, ODOT has reviewed the submitted TIS and has provided written concurrence that the applicant’s proposed mitigation measures (i.e. none) are reasonable for this project (Attachment 6). The City’s Transportation Planning Engineer concurs with the applicant’s trip generation methodology and findings. The applicant’s TIS provides Trip Generation scenarios for the existing and proposed plan designation(s) and zoning. The trips generated by 130 single family dwellings and under “Scenario 2” (i.e. 168 multifamily housing units in mid-rise apartments and 125,000 ft² shopping center) represent the “reasonable worst case scenarios” under the current and proposed zoning and comply with the TPR.

Finding 29: The applicant’s TIS assumed retiming of the intersections and optimization of signal operations in determining transportation facility performance for the various scenarios and analysis time periods. The applicant’s assumptions regarding retiming adjustments and optimization activities are common and reasonable assumptions and are accepted by the City of Springfield for analysis purposes.

Finding 30: The applicant’s TIS analyzes traffic impacts in year 2020 at “opening” of the anticipated development and in 2038. Under the TPR, a plan amendment or zone change results in a “significant affect” if it has results listed under OAR 660-012-0060(2)(c) “based on projected conditions measured at the end of the planning period identified in the adopted TSP.” The end of the planning period in the Springfield TSP is the year 2035.

Finding 31: The applicant’s TIS demonstrates that the proposed zoning of Mixed Use Commercial will not result in any study intersections failing to meet ODOT and City of Springfield mobility standards in the projected opening year of 2020 and in 2038. Thus, the applicant’s TIS demonstrates that, through the end of the planning period in 2035 (and beyond until at least 2038), the proposed
amendments will not degrade the performance of an existing or planned facility such that it does not meet the performance standards in the Springfield TSP or Oregon Highway Plan. Thus, the proposed Metro Plan diagram amendment and zone change do not result in a “significant affect” under OAR 660-012-0060(2)(c).

Finding 32: The applicant’s Goal 12 Transportation findings and supplementary Transportation Analysis, including the Transportation Impact Study (TIS) prepared by David Evans and Associates (included in Attachment 4), concludes that the vehicle trip generation for the proposed Mixed Use site would not create a significant affect.

Finding 33: Based on the above findings, the proposed Metro Plan diagram amendment from LDR to Mixed Use and Zoning Map amendment from LDR to MUC will not significantly affect an existing or planned transportation facility. Therefore, the proposed amendments are consistent with OAR 660-012-0060 and SDC 5.22-115C.4.b, and no additional mitigation is required under the TPR. The proposal is consistent with Goal 12.

Goal 13 – Energy Conservation

Applicant’s Narrative: “There are no non-renewable resources on the property. The proposed redevelopment will allow a greater mix of uses potentially decreasing the reliance on the automobile. All new development will be required to comply with local, state and federal codes related to energy conservation.”

Finding 34: The proposed Metro Plan diagram amendment and zone change does not affect the City’s ordinances, policies, plans, or studies adopted to comply with Goal 13 requirements. As stated in the applicant’s narrative, converting the property from LDR to Mixed Use Commercial should not have an appreciable impact to energy consumption and could offer opportunities for increased energy efficiency by implementing green building concepts. The developer will have an opportunity to incorporate suitable energy conservation measures into the future site development when detailed construction plans are prepared for the site. The City’s building codes comply with all Oregon State Building Codes Agency standards for energy efficiency in commercial and residential building design. The site’s solar access is not compromised by surrounding development. Any future development will be required to observe the building height limitations and solar setback provisions in SDC 3.2-615 where Mixed Use Commercial sites abut existing LDR properties or other acknowledged land use regulations adopted to implement Goal 13. The City’s acknowledged conservation measures applicable to storm water management, temporary storage, filtration and discharge also would apply to commercial uses to be developed on this site. Therefore, this action has no effect on the city’s acknowledged compliance with Goal 13.

Goal 14 - Urbanization

Applicant’s Narrative: “This Metro Plan amendment does not proposed to expand the Urban Growth Boundary thus does not require a review of the transition of rural to urban land uses. Therefore, the provisions of Goal 14 and OAR Chapter 660, Division 24 (Urban Growth Boundaries) are not applicable.”

Finding 35: The subject property is within the City’s acknowledged UGB and no changes to the UGB are proposed. The proposed Metro Plan diagram amendment and zone change do not affect
the City’s adopted ordinances, policies, plans, or studies adopted to satisfy the compliance requirements of Goal 14.

Goal 15 – Willamette River Greenway

Applicant’s Narrative: “The property is not in the Willamette River Greenway. Goal 15 is not applicable.”

Finding 36: Goal 15 – Willamette River Greenway establishes procedures for administering the 300 miles of greenway that borders the Willamette River, including portions that are inside the City limits and UGB of Springfield. The subject site is not within the adopted Willamette River Greenway Boundary area so this goal is not applicable; therefore, this action has no effect on the city’s acknowledged compliance with Goal 15.

Conclusion: The above findings demonstrate that the proposed Metro Plan diagram amendment from Low Density Residential to Mixed Use is consistent with the applicable statewide land use planning goals as required by SDC 5.14-135.A: “The amendment shall be consistent with applicable Statewide Planning Goals.” The proposal meets this criterion of approval.

B. Plan Inconsistency

1. In those cases where the Metro Plan applies, adoption of the amendment shall not make the Metro Plan internally inconsistent.

Applicant’s Narrative: “This Metro Plan amendment is limited to a change to the Plan Diagram affecting a single property. The proposed amendment does not create any internal inconsistencies or conflicts with the remainder of the Metro Plan.”

Finding 37: The subject property is located within the Gateway Refinement Plan, which is an acknowledged refinement of the Metro Plan. According to SDC 5.14-120.D, “[w]hen a Metro Plan diagram amendment is enacted that requires an amendment to a refinement plan … diagram for consistency, the Metro Plan diagram amendment automatically amends the diagram … if no amendment to the refinement plan … text is involved.” No amendments to the refinement plan text have been proposed as part of this application and the proposed diagram amendment is not inconsistent with any provisions of the Gateway Refinement Plan text, so “no amendment to the refinement plan… text is involved” in this proposal. Therefore, approval of the proposed Metro Plan diagram amendment automatically amends the Gateway Refinement Plan.

Finding 38: As discussed under subcriterion B.2 below, to the extent that this criterion requires consistency with the Metro Plan policies, the applicant’s proposal does not comply with this criterion..

Finding 39: The subject property is within the adopted Gateway Refinement Plan area, which is a refinement of the Metro Plan. Consistency with the Gateway Refinement Plan is discussed in Findings 60 and 61.

2. In cases where Springfield Comprehensive Plan applies, the amendment shall be consistent with the Springfield Comprehensive Plan.
Applicant’s Narrative: “This Metro Plan amendment shifts an underutilized site with a combination of Commercial and Low Density Residential designations to a new Commercial Mixed Use designation. The Metro Plan amendment is consistent with the following Springfield 2030 Comprehensive Plan (2030 Plan) goals and policies.

- **2030 Plan EG-1** Broaden, improve and diversify the state and regional economy, and the Springfield economy in particular, while maintaining or enhancing environmental quality and Springfield’s natural heritage.

This Metro Plan Amendment will provide a new mixed use site allowing for a diversity of commercial and medium- to high-density residential uses. The increased range and density of uses will help strengthen the economy. The site does not contain any significant Statewide Goal 5 environmental or historic resources.

- **2030 Plan EG-5** Support the development of emerging economies guided by the following principles:
  a. **Healthy Living** – Champion businesses and entrepreneurs that promote a healthy, safe, and clean community while enhancing, protecting, and making wise use of natural resources.
  b. **Ideas to Enterprise** – Encourage a culture of entrepreneurship and re-investment into the local community.
  c. **Regional Identity** – Create a strong economic personality that celebrates our region’s attributes and values.
  d. **Be Prepared** – Contribute to the development of the region’s physical, social, educational, and workforce infrastructure to meet the needs of tomorrow.
  e. **Local Resilience** – Support businesses and entrepreneurs that lead the city and region to greater economic independence, innovation, and growth of the traded sector economies.

The proposed Metro Plan Diagram amendment will provide a new Commercial Mixed Use area that will allow a conference center, educational facilities and other businesses that will contribute to a diversified economy, support entrepreneurs, and offer educational opportunities for the local workforce. The Commercial Mixed Use area will also create the opportunity for new housing close to commercial services, major employment areas and medical services.

- **2030 Plan E.6** Facilitate short term and long term redevelopment activity and increased efficiency of land use through the urban renewal program, updates to refinement plans and the development review process.

The proposed Metro Plan Diagram amendment will facilitate redevelopment of an existing underutilized site. The proposed Commercial Mixed Use designation will increase the mix and density of uses in a manner that more efficiently utilizes public services.

- **2030 Plan E.11** Plan, zone and reserve a sufficient supply of industrial and commercial buildable land to create opportunity sites for employment uses in the
2015 Economic Opportunities Analysis (EOA), with an initial emphasis on Target Industries listed in the analysis Table S-1, Target Industries, Springfield 2010-2030 (page iii-iv).

The proposed Metro Plan Diagram amendment will provide a new opportunity site for employment uses in particular the City of Springfield Target industries of tourism and senior services.

- **2030 Plan E.14** Leverage and promote Springfield’s Interstate 5 corridor location and visibility.

  The primary impetus for the proposed applications is the ability to develop the subject property for a conference center and hospitality uses. These tourist-related uses will leverage and promote Springfield’s strategic location on the I-5 corridor.

- **2030 Plan E.19** In the 2030 Plan diagram and Land Use Element, and future refinement planning, locate regional, community and neighborhood-serving commercial uses to support economically viable centers, enhanced commercial corridors, and walkable neighborhood scale mixed-use centers.

  The 13 acre site is large enough to create a vibrant walkable mixed use area. It is on an arterial and is conveniently located near transit services.

- **2030 Plan E.22** Plan, designate and zone land to allow community and neighborhood retail commercial uses in new, existing or expanded mixed use centers/nodes to address the land need for retail described in the Economic Opportunities Analysis; timing shall be coordinated with City refinement planning processes or through property-owner initiated proposals that are consistent with Springfield Comprehensive Plan policies.

  This property-owner initiated proposal is consistent with Springfield Comprehensive Plan policies and will allow for redevelopment opportunities that address both commercial and residential land needs.

- **2030 Plan E.35** Increase the potential for convention- and tourist-related economic activities to generate economic activity, especially in the service industries like retail, food services, and accommodations.

  This Metro Plan amendment will provide a suitable site for a new conference center, hotels, and other tourist-related economic activities. The site is located in the north Gateway area near the Interstate 5 corridor. The site has frontage on Beltline Road and Game Farm Road providing excellent visibility and easy access to transportation facilities including I-5 and the airport.

- **2030 Plan E.44** Expand the City’s partnership with the University of Oregon, Lane Community College, Oregon State University and other education institutions to support the development of education and research facilities and programs into
Springfield, to bring new technologies and innovations to market, and to promote sustainable practices.

This Metro Plan amendment will enable the site to be developed with a mix of uses including a conference center and/or other educational facilities for adults.

- 2030 Plan H.10  Through the updating and development of each neighborhood refinement plan, district plan or specific area plan, amend land use plans to increase development opportunities for quality affordable housing in locations served by existing and planned frequent service that provides access to employment centers, shopping, health care, civic, recreational and cultural services. The subject property is ideally suited for new high-density housing due to its location near employment centers, shopping, and medical services. It is near transit stops providing access to numerous civic, recreational and cultural services. The Metro Plan amendment will help address the need for new multiple family housing.

- 2030 Plan H.12  Continue to designate land to provide a mix of choices (i.e. location, accessibility, housing types, and urban and suburban neighborhood character) through the refinement plan update process and through review of developer-initiated master plans. This Metro Plan amendment will result in additional land designated mixed use increasing the opportunities for new housing options for residents. The location near medical services will make the site attractive to people working in the medical field and to those wanting to live near medical services.

Based upon the above information, the proposed Metro Plan amendment complies with SDC 5.14-135."

Finding 40: The adopted Metro Plan is the principal policy document that creates the broad framework for land use planning within the City of Springfield. The adoption of Springfield Ordinances #6268 and #6400 included the new Springfield 2030 Refinement Plan Residential Land Use and Housing Element and Economic Element respectively. The policies and implementation actions of the Springfield 2030 Refinement Plan Residential Land Use and Housing Element are intended to refine and update the goals, objectives and policies of the Metro Plan’s Residential Land Use and Housing Element. The policies and implementation actions of the Springfield 2030 Comprehensive Plan Economic Element replace the economic development and employment growth provisions of the Metro Plan. Therefore, both plans are applicable to this request and the proposed Metro Plan amendment and zone change must be consistent with both the Metro Plan and the Springfield 2030 Comprehensive Plan. The following findings in this section identify and show compliance with the applicable Metro Plan and Springfield 2030 Plan policies. Policies not identified herein are not applicable to this proposal.

Finding 41: Chapter 1 of the Metro Plan, under the heading Use of the Metro Plan, states: “The [City] recognize[s] that there are apparent conflicts and inconsistencies between and among some goals and policies. When making decisions based on the Metro Plan, not all of the goals and policies can be met to the same degree in
every instance. Use of the Metro Plan requires a balancing of its various components on a case-by-case basis, as well as a selection of those goals, objectives, and policies most pertinent to the issue at hand.”

Communities like Springfield are faced with the dilemma of managing growth pressures while preserving a feeling of “community.” To address this, planning decisions need to be intentional and smart to protect the community that is already established – not just made for the sake of overall growth. The only “absolute” factor for the subject site is that it contains existing residential housing and, at this point, any other proposed use is conceptual and speculative. It then becomes a compelling argument to maintain the existing, known use on the site because it is a recognized part of the neighborhood and it provides needed housing for members of the community, including seniors and persons with disabilities, as evidenced by the people who provided testimony during the public hearing.

Economic Findings

Finding 42: As stated in the applicant’s project narrative above, the Policies and Implementation Actions of the Springfield 2030 Comprehensive Plan Economic Element apply to the subject site. The applicant’s findings above assert that the proposal complies with applicable policies and implementation strategies of the Economic Element and further supports the identified goals. The following findings discuss the proposal’s compliance with other applicable policies and implementation strategies in the Springfield 2030 Plan. Policies not discussed in this report are not applicable to this proposal.

Finding 43: Policy E.1 of the Springfield 2030 Comprehensive Plan Economic Element states that the City will “[d]esignate an adequate supply of land that is planned and zoned to provide sites of varying locations, configurations, size and characteristics as identified and described in the Economic Opportunity Analysis to accommodate industrial and other employment over the planning period. These sites may include vacant undeveloped land; partially developed sites with potential for additional development through infill development; and sites with redevelopment potential.” The proposal is consistent with this policy because it would help meet the City’s need for 4 commercial and mixed use sites between 5 and 20 acres in size.

Finding 44: Policy E.7 of the Springfield 2030 Comprehensive Plan Economic Element states that the City will “[w]here possible, concentrate development on sites with existing infrastructure or on sites where infrastructure can be provided relatively easily and at a comparatively low cost.” The subject property is surrounded by an existing transportation network and utility infrastructure. The subject property is already developed and has all available utilities and services on the perimeter. The proposal is consistent with this policy because the subject site is served by existing infrastructure that could support redevelopment of commercial mixed uses more easily and at a comparatively low cost compared to the recent UGB expansion areas that lack existing infrastructure.

Finding 45: Policy E.12 of the Springfield 2030 Comprehensive Plan Economic Element states that the City will “[r]ecruit or support businesses that pay higher than average wages for the region (as reported by the Oregon Employment Department) to diversify and expand Springfield’s economy.” Specifically, to implement that policy, Implementation Strategy 12.6 states that the City will “[s]upport development of convention- and tourism-related economic activities.” The proposal is consistent with this implementation strategy because it would facilitate the future redevelopment of
the site with hotel and conference-center uses which support convention- and tourism-related activities.

Finding 46: Policy E.16 of the *Springfield 2030 Comprehensive Plan Economic Element* states that the City will “[c]onsider the economic opportunities provided by transportation corridors and seek to maximize economic uses in corridors that provide the most optimal locations and best exposure for existing and future commercial and industrial uses.” The subject property is located at the intersection of an arterial and a collector street (Beltline Road and Game Farm Road) and the site has extensive frontage on three major streets. The property proposed for rezoning is in close proximity to I-5 and the Beltline Road and Gateway Street intersection, which are among the busiest streets in the metro area. The proposal is consistent with this policy because its proximity to important local and regional transportation corridors will maximize economic use of the property.

Finding 47: The applicant’s submittal complies with the applicable Economic Element policies of the *Metro Plan* and the *Gateway Refinement Plan*.

*Metro Plan and Springfield 2030 Comprehensive Plan - Residential Land Use and Housing Findings*

Finding 48: The *Metro Plan – Residential Land Use and Housing Element* and *Springfield 2030 Comprehensive Plan – Residential Land and Housing Element* were adopted to implement Goal 10. Goal 10 includes advisory Guidelines and Implementation Actions that provide direction for how to adopt and implement comprehensive plan provisions to meet the intent of the Goal. These guidelines promote retaining existing housing units that provide for the needs and financial resources of the community. Goal 10 encourages communities to maintain inventories of needed housing in the community for all income levels, including manufactured homes. (See, for example, Goal 10 Guideline A.2 and Implementation Action B.1 and B.4). For the reasons stated in the findings below, maintaining the existing mobile home park and its 81 dwelling units as a conforming use better meets the intent of Goal 10.

Finding 49: The goal of the *Metro Plan – Residential Land Use and Housing Element* is to “[p]rovide viable residential communities so all residents can choose sound, affordable housing that meets individual needs.” Based on testimony provided at the public hearing, the Patrician Mobile Home Park meets this goal by providing housing for low and very low income households, as well as for seniors and persons with disabilities.

Finding 50: Policy A.17 of the *Metro Plan – Residential Land Use and Housing Element* states that the City will “[p]rovide opportunities for a full range of choice in housing type, density, size, cost and location.” Policy A.20 of the *Metro Plan – Residential Land Use and Housing Element* states that the City will “[e]ncourage home ownership of all housing types, particularly for low-income households.” Policy A.21 of the *Metro Plan – Residential Land Use and Housing Element* states that the City will “[a]llow manufactured dwelling parks as an outright use in low-density residential zones if the local jurisdiction’s prescribed standards are met.” Furthermore, Table 5-29 in the *Housing Needs Analysis of the Springfield 2030 Comprehensive Plan Residential Land Use and Housing Element* identifies manufactured homes in parks as the only affordable option for home ownership for low income individuals and families. Currently, the Patrician Mobile Home Park represents a conforming residential use in the Low Density Residential District but would become non-conforming if the plan designation is changed to Mixed Use and zoning of the site is changed to Mixed Use Commercial. Based on information provided during the public hearing, about 78 of the 81 dwellings within the Patrician Mobile Home Park are owned by the occupants. Retaining the
Patrician Mobile Home Park as a conforming use better ensures that the existing opportunities for affordable low-income home ownership remain available, in conformance with the policies in A.17, A.20, and A.21.

Finding 51: Policy A.25 of the Metro Plan – Residential Land Use and Housing Element states that the City will “[c]onserve the metropolitan area’s supply of existing affordable housing and increase the stability and quality of older residential neighborhoods, through measures such as revitalization; code enforcement; appropriate zoning; rehabilitation programs; relocation of existing structures; traffic calming; parking requirements; or public safety considerations. These actions should support planned densities in these areas.” The Patrician Mobile Home Park represents existing older residential neighborhood and provides needed housing. Anecdotal information provided during the public hearing stated that several current residents are rehabilitating and improving the existing homes on the site. Additionally, the Patrician Mobile Home Park has 81 dwelling units on 13.6 acres, which meets current density requirements of at least 6 units per net acre for the Low Density Residential zoning district. Changing the plan designation to Mixed Use and the zoning to Mixed Use Commercial would not retain appropriate zoning for the existing older residential neighborhood on the property, which conflicts with this policy.

Finding 52: Policy A.26 of the Metro Plan – Residential Land Use and Housing Element states the City will “[p]ursue strategies that encourage rehabilitation of existing housing and neighborhoods.” The City’s Housing Program provides incentives and subsidies for emergency home repairs for very low and low income households. Additionally, testimony provided at the public hearing suggests that multiple residents have invested significant time and money in repairing and rehabilitating the existing units to maintain and improve livability of the neighborhood. Residents testified that they would be less likely or financially able to further invest in their homes and neighborhood if the plan amendment and zoning changed to create a non-conforming use on the property. Therefore, changing the plan designation and zoning of the Patrician Mobile Home Park from LDR to Mixed Use conflicts with this policy.

Finding 53: Policy A.33 of the Metro Plan – Residential Land Use and Housing Element states the City will “[c]onsider local zoning and development regulations impact on the cost of housing.” Amending the plan designation to Mixed Use and the zoning from LDR to Mixed Use Commercial would create a non-conforming use for the Patrician Mobile Home Park. Public testimony from several residents stated that creation of a non-conforming use would negatively impact the residents’ ability to obtain financing or sell their mobile homes, which would negatively impact the cost of housing. Additionally, residents testified that the cost of relocating their mobile home – if it could be done at all – would be prohibitive, and there are very few if any parks in the local area that would accept older, relocated mobile homes.

Finding 54: Policy H.8 of the Springfield 2030 Comprehensive Plan – Residential Land and Housing Element states that the City will “[c]ontinue to support and assist affordable home ownership through programs that subsidize the development of affordable homes and provide down payment assistance to qualified homeowners.” During the public hearing and extended written record, anecdotal information provided by residents of the Patrician Mobile Home Park suggests that nearly all of the manufactured dwellings on the site are owner-occupied. As explained under Finding 50, retaining the Patrician Mobile Home Park as a conforming use better ensures that the existing opportunities for low-income home ownership remain available.
Finding 55: Policy H.9 of the *Springfield 2030 Comprehensive Plan – Residential Land and Housing Element* states that the City will “[p]rovide a broad range of quality accessible and affordable housing options for very low, low and moderate income residents. Affordable housing is defined as housing for which persons or families pay 30 percent or less of their gross income for housing including necessary and essential utilities.” Information provided in written and verbal testimony identifies at least 22 households within the Patrician Mobile Home Park qualify as very low and low income. Anecdotal information provided through public comment indicates that the Patrician Mobile Home Park is affordable housing for at least some of the low-income families and individuals who reside at the Patrician. In addition, as listed in Table 5-29 of the *Springfield Housing Needs Analysis*, manufactured homes in parks are the only type of home ownership that is affordable to low-income individuals and families. Retaining the Patrician Mobile Home Park as a conforming use better ensures that the existing opportunities for affordable low-income home ownership remain available.

Finding 56: Policy H.10 of the *Springfield 2030 Comprehensive Plan – Residential Land and Housing Element* states that the City will, “[t]hrough the updating and development of each neighborhood refinement plan, district plan or specific area plan, amend land use plans to increase development opportunities for quality affordable housing in locations served by existing and planned frequent transit service that provides access to employment centers, shopping, health care, civic, recreational and cultural services.” Amending the plan designation from LDR to Mixed Use may decrease the availability of current or future affordable housing on the subject property, which is located in an area that has existing transit service and is close to shopping, health care, employment and services.

Finding 57: Implementation Action 10.3 of the *Springfield 2030 Comprehensive Plan – Residential Land and Housing Element* states the City will “[c]ontinue to develop strategies and programs that support the repair, preservation and improvement of the existing supply of affordable housing stock and the enhancement of existing affordable neighborhoods.” There is evidence showing that many residents had made substantial investments in purchasing and renovating their manufactured dwellings and that the Patrician Mobile Home Park is a well-maintained and attractive neighborhood due to the ongoing efforts of its residents. Anecdotal evidence was provided to support the conclusion that the Patrician Mobile Home Park is considered an “affordable” neighborhood when compared with other types of single family housing in the community. Changing the comprehensive plan designation and zoning to Mixed Use would result in the Patrician Mobile Home Park becoming a non-conforming use, which does not support the repair, preservation, and improvement of the existing neighborhood.

Finding 58: Implementation Action 11.2 of the *Springfield 2030 Comprehensive Plan – Residential Land and Housing Element* states the City will “[p]rotect and enhance existing single family neighborhoods and affordable housing stock in the incorporated areas of Springfield where urban services currently are in place.” The Patrician Mobile Home Park is an existing single family neighborhood, and is incorporated into the City, and has urban services already in place. Changing the comprehensive plan designation and zoning to Mixed Use would result in the Patrician Mobile Home Park becoming a non-conforming use, which does not protect and enhance the existing single family neighborhood.

Finding 59: Policy H.13 of the *Springfield 2030 Comprehensive Plan – Residential Land and Housing Element* states the City will “[p]romote housing development and affordability in coordination with transit plans and in proximity to transit stations.” Retaining the current plan...
designation of Low Density Residential supports the development and retention of housing on the subject property in close proximity to existing bus stops and bus rapid transit (EmX) stations that serve the greater Gateway/Riverbend area of Springfield and portions of neighboring Eugene.

**Gateway Refinement Plan**

Finding 60: Overarching principles of the *Gateway Refinement Plan – Community and Economic Development Element* are to “[m]aintain the livability and quality of existing residential neighborhoods as new development occurs” (Goal 7); and to “[m]aintain and enhance the Refinement Plan area’s high quality of life” (Goal 8). The subject property is shown on the Residential Subareas Map of the *Gateway Refinement Plan* as being within the “Game Farm Single-Family Sub-Area”. Key goals of the Residential Element of the adopted *Gateway Refinement Plan* are to provide for a diversity of sound, affordable housing (Goal 1); and to maintain and enhance the livability of Refinement Plan area neighborhoods (Goal 5). Therefore, development is contemplated within the Refinement Plan area while preserving existing neighborhoods, of which this site is a part. Preventing conversion of the Patrician Mobile Home Park to a non-conforming use assists in preserving the existing neighborhood.

Finding 61: The *Gateway Refinement Plan – Commercial Element* states the City should “[m]inimize potential conflicts between residential and commercial development” (Goal 2). The applicant cited Gateway Refinement Plan policies in the application for zoning map amendment (Case 811-19-000066-TYP3) that would support changing the plan designation and zoning to allow mixed commercial uses. However, where the Refinement Plan intends for future commercial development to occur within or in close proximity to existing residential areas, the plan specifically states so. For example, the Refinement Plan calls for “future neighborhood commercial development within the Medium Density Residential development east of Game Farm Road” (Policy 5.0), but the Refinement Plan does not identify the Patrician Mobile Home Park site for future commercial development or redevelopment. Therefore, changing the plan designation and zoning to allow commercial mixed use on the subject property was not specifically anticipated by the Plan nor is it necessary to comply with the Refinement Plan policies. Additionally, and for the reasons cited above, the redesignation of the Patrician Mobile Home Park is not an anticipated change to the land use pattern in the Gateway area as evidenced by testimony overwhelmingly in opposition that was provided during the public hearing.

**Conclusion**

Finding 62: The above findings demonstrate that not all of the goals and policies in the *Metro Plan, Springfield 2030 Refinement Plan,* and *Gateway Refinement Plan* regarding residential land use and housing and economic development can be met to the same degree for this application. The Planning Commission has balanced these competing policies and goals, and finds that, for the present proposal, the policies that favor preservation and rehabilitation of existing housing as explained in findings outweigh other competing policies. As explained in findings 48-61 above, the applicant’s proposal is inconsistent with these policies. The applicant’s proposal is consistent with the policies identified in findings 42–47, but these policies are of secondary importance. For that reason, the applicant’s proposal is not consistent with the *Metro Plan* and *Springfield 2030 Comprehensive Plan.*

Conclusion: Based on the above findings, Criterion B is not met.
Conclusion and Recommendation

The proposed Metro Plan diagram amendment to change the property’s designation from Low Density Residential to Mixed Use is not consistent with the adopted policies of the Metro Plan, the Gateway Refinement Plan, and the Springfield 2030 Plan under Criterion B. Because not all of the criteria of approval are met, the Planning Commission recommends that the City Council deny the application for a comprehensive plan diagram amendment from Low Density Residential to Mixed Use on the basis of the findings contained herein.
Springfield Planning Commission Report and Findings
Zone Change Request

Meeting Date: July 2, 2019

Case Number: 811-19-000066-TYP3

Applicant: Teresa Bishow, Bishow Consulting LLC on behalf of Urban Transitions LLC

Property Owner: Urban Transitions LLC

Site: 3522 & 3530 Game Farm Road (Map 17-03-15-40, Tax Lot 3100)

Request
Rezone a 13.6-acre parcel from Low Density Residential (LDR) to Mixed Use Commercial (MUC).

Site Information/Background
The application was initiated and accepted as complete on March 14, 2019. The initial Planning Commission public hearing on the matter of the Zone Change request was held on May 7, 2019. The public hearing was continued to May 21, 2019 and the written record was extended to May 28, 2019. The zoning map amendment is being processed concurrently with a Metro Plan diagram and Gateway Refinement Plan diagram amendment submitted under Case 811-19-000065-TYP4.

The property that is subject of the zoning map amendment is a single parcel comprising approximately 13.6 acres. The site is currently developed as the Patrician Mobile Home Park and is developed to accommodate 81 dwellings. The site has frontage on Beltline Road along the southern boundary and Game Farm Road along the eastern boundary and a portion of the northern boundary. The property is designated LDR on the Metro Plan diagram and Gateway Refinement Plan, and is zoned LDR on the Springfield Zoning Map. The site adjoins existing commercial uses along the western boundary and single family residences (also zoned LDR) along the northeast boundary. Zoning in the vicinity of the site includes Community Commercial (CC) to the west and southwest; Campus Industrial (CI) to the north; Low Density Residential to the south and northeast; and a combination of Medium and High Density Residential to the east.

The applicant proposes to change the zoning from LDR to MUC to facilitate future redevelopment of the property with a variety of potential uses including hotels and accommodations, conference and meeting facilities, eating and drinking establishments, retail stores, offices, and higher density residential housing units.

Notification
Notice of the initial May 7, 2019 Planning Commission public hearing was sent to all property owners and residents within 300 feet of the site on April 12, 2019. Notice of the initial Planning Commission public hearing was published in the April 29, 2019 edition of the Register-Guard. Staff also posted notices of the May 7 public hearing at two places along the Game Farm Road frontage of the property (northwest and southeast edges), along the Beltline Road frontage of the property, in the lobby of City Hall, on the Development & Public Works office digital display, and on the City’s webpage.

Response to Public Testimony
Over the course of the initial public comment period, and during the Planning Commission public hearing, both written and verbal testimony was submitted to the record. Forty-six written submittals were entered
into the record of the Planning Commission action. The issues raised in the submitted comments are summarized below and are permanently kept in the Planning file for this application (Case 811-19-000065-TYP4). All of the testimony will be forwarded to the City Council for consideration at the public hearing meeting on September 3, 2019.

Issues Identified
The following key issues are among those identified in the public comments submitted to the Planning Commission:

- The proposed zoning amendment could require residents to vacate their homes;
- The proposal will effectively render existing homes on the subject property worthless because the resale value will be impacted by the change of underlying zoning from residential to mixed use commercial;
- The Patrician mobile home park is a form of affordable housing for vulnerable segments of the population including the elderly and persons with disabilities;
- The state-mandated compensation for closure of mobile home parks ($6,000 - $8,000 per dwelling unit) isn’t enough to cover the cost of relocation. And, even if relocation of the affected homes was possible, there are very few vacant mobile home park spaces available in the region.

Responses to Issues
Amending the Metro Plan designation and zoning of the subject property, if approved, does not automatically displace current residents from their homes. The existing residential uses on the site can continue indefinitely under either the current or proposed comprehensive plan designation and zoning. If the zoning is changed to mixed use commercial, the mobile home park could remain as an existing non-conforming use until the site formally redevelops. Nothing in the proposal alters the landlord’s obligations to tenants under state law (as provided in ORS 90.645-655) before closing a manufactured dwelling park, nor does this development proposal require the closing of the manufactured dwelling park, which is consistent with the City’s obligations in ORS 90.660 not to interfere with a tenant’s rights under state law.

A majority of the Planning Commission has determined that the Metro Plan and Gateway Refinement Plan policies and public testimony pertaining to preserving existing housing take precedence over the policies pertaining to redevelopment for mixed uses. Therefore, the request to rezone the property to Mixed Use Commercial would not be consistent with the current plan designation of Low Density Residential.

Criteria of Approval
Section 5.22-100 of the Springfield Development Code (SDC) contains the criteria of approval for the decision maker to utilize during review of Zoning Map amendment requests. The criteria of approval for a zoning map amendment are as follows:

SDC 5.22-115 CRITERIA

C. Zoning Map amendment criteria of approval:

1. Consistency with applicable Metro Plan policies and the Metro Plan diagram;

2. Consistency with applicable Refinement Plans, Plan District maps, Conceptual Development Plans and functional plans; and
3. The property is presently provided with adequate public facilities, services and transportation networks to support the use, or these facilities, services and transportation networks are planned to be provided concurrently with the development of the property.

4. Legislative Zoning Map amendments that involve a Metro Plan Diagram amendment shall:

   a. Meet the approval criteria specified in Section 5.14-100; and

   b. Comply with Oregon Administrative Rule (OAR) 660-012-0060, where applicable.

1. Consistency with applicable Metro Plan policies and the Metro Plan diagram;

   Applicant’s Narrative: “The Metro Plan defines Mixed Use as ‘A building, project or area of development that contains at least two different uses such as housing, retail, and office uses.’ The Metro Plan Diagram describes the Mixed Use designation as:

       ‘This category represents areas where more than one use might be appropriate, usually as determined by refinement plans on the local level. (For example, the Whiteaker Refinement Plan includes several areas where a mix of compatible uses, based in part on existing development, are designated). In the absence of a refinement plan, the underlying plan designation shall determine the predominant land use.’

   According to SDC 3.2-605.A,

       ‘The primary development objectives of the MUC District are to expand housing opportunities; allow businesses to locate in a variety of settings; provide options for living, working, and shopping environments; facilitate more intensive use of land while minimizing potentially adverse impacts; and to provide options for pedestrian-oriented lifestyles.’

   The Zoning Map amendment is consistent with the Metro Plan policies and upon adoption of the Metro Plan diagram amendment being processed concurrently, the Zoning Map amendment will also be consistent with the Metro Plan diagram. For additional evidence, please refer to the findings above related to SDC 5.6-115.A.1.”

   Finding 1: The property owner has initiated a concurrent Metro Plan Diagram amendment under SDC 5.14-100 (Case 811-19-000065-TYP4) to change the property designation from LDR to Mixed Use. The Gateway Refinement Plan and the city’s acknowledged land use regulations at SDC 3.2-610A permit MUC zoning to implement the Mixed Use plan designation. Upon approval of the Metro Plan diagram amendment, if this were to occur, the MUC zoning would be consistent with the Metro Plan diagram. Prior or concurrent amendment of the Metro Plan Diagram is required for the subject zone change request to be approved. Without an approved amendment to change the plan designation to Mixed Use, the zone change is inconsistent with the Metro Plan Diagram and Gateway Refinement Plan and therefore does not meet this criterion.

   Finding 2: A majority of the Planning Commission has determined that the proposed comprehensive plan amendment does not meet the applicable criteria of approval and therefore recommends denial, based upon the findings under Criterion B in Exhibit B, incorporated by reference. Without a concurrent amendment of the Metro Plan diagram to Mixed Use, the zoning map amendment from LDR to Mixed Use Commercial is not consistent with the Metro Plan diagram.
2. Consistency with applicable Refinement Plans, Plan District maps, Conceptual Development Plans and functional plans;

Applicant’s Narrative: “Upon adoption of the Gateway Refinement Plan amendments being processed concurrently with this Zoning Map amendment, the proposed zone change will be consistent with the Gateway Refinement Plan. The zone change also does not create any conflicts with TransPlan, the Public Facilities Plan, or the Willamalane Comprehensive Plan. Below are applicable Gateway Refinement Plan policies followed by findings of fact.

- Gateway Plan – Support tourism and convention activities that promote the Springfield Area. (Community and Economic Development Element, Goal 5)

  The change in zoning from LDR Low Density Residential to MUC Mixed Use Commercial will create a 13-acre site in a strategic location for a new conference center, hotels and other tourist related activities.

- Gateway Plan – Attract new business, development and investment to the Springfield area. (Community and Economic Development Element, Goal 6)

  The proposed zoning will be attractive to new and growing businesses and stimulate substantial private investment during redevelopment of the property.

- Gateway Plan – Provide for a diversity of sound, affordable housing in the Refinement Plan area. (Residential Element, Goal 1)

- Gateway Plan – Ensure the availability of adequate supplies of land appropriate for low-, medium-, and high-density residential development. Maintain approximately the existing balance among LDR-, MDR-, and HDR-designated lands, consistent with Metro Plan allocations, while allowing for an appropriate mix of uses consistent with the Transportation and Residential elements of the Metro Plan. (Residential Element, Goal 2, as amended per Ordinance 6051)

  The Patrician Mobile Home Park was established in 1972 and currently consists of one single family dwelling, a clubhouse, and 81 spaces for mobile homes. Of the 81 spaces, 2 are occupied with mobile homes that are owned by Urban Transitions LLC and rented, 2 are occupied with RVs and the remainder are occupied by the owners of the mobile homes. All of the mobile homes were manufactured between 1970 and 1975 except for one manufactured in 1985. For the mobile homes with known production dates the breakdown is as follows:

  1970 – 3
  1971 – 22
  1972 – 18
  1973 – 13
  1974 – 17
  1975 – 1
  1985 – 1
Please refer to section titled “History of Site and Current Use in the Summary. The term ‘affordable housing’ is not defined in the Gateway Refinement Plan. LCDC’s Housing goal requires cities to maintain adequate supplies of buildable lands for needed housing as follows:

‘Goal: To provide for the housing needs of citizens of the state.’

‘Buildable lands for residential use shall be inventoried and plans shall encourage the availability of adequate number of housing units at price ranges and rent levels which are commensurate with the financial capabilities of Oregon households and allow for the flexibility of housing location, type and density.’

In essence, all types and densities of housing are considered ‘needed housing’.

- Gateway Plan – Minimize potential conflicts between residential and commercial development. (Commercial Element, Goal 2)

- Gateway Plan – Ensure availability of an adequate supply of land appropriate for Commercial development. (Commercial Element, Goal 3)

The SDC 3.2-605A. describes the Mixed-Use Commercial District as follows:

A. Mixed-Use Commercial District (MUC). The MUC District is established where a mix of commercial with residential uses is compatible with existing nearby uses. Development within the MUC District shall have a commercial dominance, with residential and public uses also allowed. The primary development objectives of the MUC District are to expand housing opportunities; allow businesses to locate in a variety of settings; provide options for living, working, and shopping environments; facilitate more intensive use of land while minimizing potentially adverse impacts; and to provide options for pedestrian-oriented lifestyles. Development areas one acre or more in size in the MUC District shall have frontage on either an arterial or collector street. Access to any MUC development area may be from a local street, if there is no negative impact on adjacent residential uses.

Development in Mixed Use Districts are required to comply with standards that are intended to minimize conflicts between residential and commercial uses. As stated in SDC 3.2-625, ‘Mixed use zoning districts require special attention to building design because of the intermixing of land uses and higher intensity of development that can occur in these areas...’ This code section requires compliance with standards pertaining to building design, building orientation and setbacks all aimed at ensuring compatibility among various uses. The scale and type of residential and commercial uses allowed in the Commercial Mixed Use zone also serve to help minimize potential conflicts. Per SDC 3.2-630 Mixed Use Development Standards - Specific, potential conflicts are minimized due to a maximum footprint for retail use and a minimum floor area ratio (FAR) for all new development. The retail size limitation would prevent a large, freestanding big box retail outlet. The FAR will result in a compact land use pattern and reduce conflicts often associated with large single story commercial buildings with expansive parking areas. Per SDC 3.2-630, new development will preserve 100% of the commercial land supply while also allowing for residential development.
• Gateway Plan - Provide for a safe and efficient transportation system for the Gateway Refinement Plan area. (Transportation Element, Goal 1)

• Gateway Plan - Provide for the safe and efficient movement of pedestrians and bicyclists in the Gateway Refinement Plan area. (Transportation Element, Goal 6)

• Gateway Plan - Discourage use of local residential streets by commercial and industrial traffic. (Transportation Element, Policy 1)

• Limit access to arterials as redevelopment occurs. (Transportation Element, Policy 4)

The subject property is close to Interstate 5 on Beltline (arterial) and Game Farm Road (collector) each with on-street bike lanes. The subject property is conveniently located near transit and pedestrian corridors. The proposed Zoning Map amendment does not propose any changes to access to Beltline Road or encourage use of local residential streets. The zone change to Mixed-Use Commercial will not adversely impact the safe and efficient transportation system. Refer to the Traffic Study prepared by David Evans and Associates distributed under separate cover.

• Gateway Plan - Provide an adequate level of public sanitary sewers, storm drainage facilities, and water and electric service in a timely and efficient manner in order to support development consistent with adopted land use designations. (Public Facilities Element, Goal 1)

The subject property is located in the City of Springfield and is currently provided adequate levels of public services. The redevelopment of the 13 acre site will enhance the efficient delivery of public services.”

Finding 3: The property lies within the adopted Gateway Refinement Plan. The applicant has identified policies in the Gateway Refinement Plan as amended by Ordinance 6051. However, Ordinance 6051 was remanded to the City following appeal to the Oregon Land Use Board of Appeals and Oregon Court of Appeals, and was never acknowledged. Ordinance 6051 was repealed and replaced by Ordinance 6109 (adopted January 10, 2005). Goal 2 of the Residential Element was amended to state, “Ensure the availability of adequate supplies or land appropriate for low-, medium-, and high-density residential development, while allowing for an appropriate mix of commercial, employment, and residential uses.” The other Gateway Refinement Plan policies cited by applicant are consistent with Ordinance 6109.

Finding 4: Rezoning of the subject property from LDR to MUC would be consistent with the requested Metro Plan diagram and Gateway Refinement Plan diagram amendments initiated by the applicant in Case 811-19-000065-TYP4. However, the majority of the Planning Commission has determined that the proposed comprehensive plan amendments are not supported. Therefore, in the absence of the enabling comprehensive plan amendments, this requested rezoning does not meet the criteria for approval.

3. The property is presently provided with adequate public facilities, services and transportation networks to support the use, or these facilities, services and transportation networks are planned to be provided concurrently with the development of the property.
Applicant’s Narrative: “Public facilities and services are currently provided to the property. The proposed zone change will broaden the range of permitted uses and result in redevelopment of the site at increased densities. The city and other service providers are capable of providing timely and efficient public services.”

Finding 5: The subject property has frontage on Game Farm Road along the northern and eastern boundaries. Along the property frontages, Game Farm Road is classified as a collector street and is fully developed with one vehicle travel lane and bicycle lane in each direction and a bi-directional center turn lane. The paved street has lane striping, street lighting, street trees, sidewalks and piped stormwater management facilities. The subject property also has frontage on Beltline Road along the southern boundary. In this location, Beltline Road is classified as an arterial street and is fully developed with two vehicle travel lanes and a bicycle lane in each direction with a landscaped center median. The street has lane striping, street trees, street lighting, sidewalks, and piped stormwater management facilities.

Finding 6: Based on the existing conditions in the vicinity, a full suite of public utilities and services are available on the perimeter of the subject property. Future development of the site with either Low Density Residential or Mixed Use Commercial uses would be subject to the land use approval process outlined in SDC 5.12-100 or 5.17-100, or other land use regulations acknowledged to implement the city’s comprehensive plan. If future redevelopment results in a need to increase the capacity of existing infrastructure serving the property, mitigation would be required at time of development.

4. Legislative Zoning Map amendments that involve a Metro Plan Diagram amendment shall:

a. Meet the approval criteria specified in Section 5.14-100; and

Finding 7: The applicant has submitted a concurrent Metro Plan Diagram amendment application in Case 811-19-000065-TYP4. The applicant’s submittal materials, narrative, and findings in Case 811-19-000065TYP4, incorporated herein by reference, are intended to demonstrate compliance with the approval criteria specified in SDC 5.14-135. However, the majority of the Planning Commission finds that the proposed comprehensive plan amendment and zone change does not meet the criteria of approval under SDC 5.14-135.B. Therefore, this criterion of approval is not met.

b. Comply with Oregon Administrative Rule (OAR) 660-012-0060, where applicable.

Applicant’s Narrative: “The Zoning Map amendment involves a Metro Plan Diagram amendment being processed concurrently. For evidence demonstrating compliance with the Metro Plan amendment approval criteria, please refer to the information above regarding SDC 5.14-135B.2 criteria. The Springfield 2035 Transportation System Plan is the City of Springfield’s adopted and acknowledged Transportation System Plan (TSP). The proposed Metro Plan amendment and related zone change require compliance with OAR 660-012-0060(9)(a-c) showing compliance with the Transportation Planning Rule (TPR). Please refer to the Traffic Study prepared by David Evans and Associates submitted under separate cover.”

Finding 8: OAR 660-012-0060 requires that, “if an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map), would significantly affect an existing or planned transportation facility, then the local government must put in place measures” to mitigate the impact, as defined in OAR 660-012-0060(2). The applicant’s
Goal 12 Transportation findings, Transportation Impact Study, and the findings under Goal 12 in Case 811-19-000065TYP4, incorporated herein by reference, demonstrate that the proposed rezoning to Mixed Use Commercial complies with OAR 660-012-0060. Therefore, this criterion approval is met.

**Conditions of Approval:** SDC Section 5.22-120 allows for the Approval Authority to attach conditions of approval to a Zone Change request to ensure the application fully meets the criteria of approval. There are no conditions of approval that would bring the request into conformance with the criteria of approval.

**Conclusion:** Based on the above findings, the proposal for a zoning map amendment to rezone the subject property from LDR to MUC does not meet the criteria of approval under SDC 5.22-115.C.1, 2, and 4.a. Therefore, the Planning Commission recommends that the City Council deny this application.